T. Turner, Mrs. O. W. Huntington, Mrs. W. S. Sims, of Newport, all in the State of Rhode Island, favoring woman suffrage; to the Committee on the Judiciary.

By Mr. MOORE: Memorial of the Emanuel Evangical Church of Philadelphia, Pa., favoring passage of bills to prohibit the exportation of munitions of war; to the Committee on Foreign Affairs.

By Mr. J. I. NOLAN: Petitions from sundry citizens of San Francisco, Cal., favoring the passage of House joint resolution 377, to prohibit the exportation of munitions of war from the United States; to the Committee on Foreign Affairs.

By Mr. RAKER: Memorial of the German-American League and the United Irish Societies of San Francisco, Cal., relative to enforcement of neutrality by the United States; to the Committee on Foreign Affairs.

By Mr. SELDOMRIDGE: Petition of Modern Woodmen of America, of Colorado City; Major Charles H. Anderson Camp, No. 8, U. S. W. V., of Colorado Springs; the Pueblo Commerce Club, of Pueblo; the Amalgamated Association of Street and Electric Employees of America, Local Division No. 19, Colorado Springs, all in the State of Colorado, favoring passage of the Hamill bill, H. R. 5139; to the Committee on Reform in the Civil Service.

Also, memorial of the Brotherhood of Railroad Trainmen and Engineers, of Denver and Colorado Springs, Colo., favoring passage of the Cummins-Goeke bills, pertaining to inspection of locomotives; to the Committee on Interstate and Foreign Commerce.

By Mr. J. M. C. SMITH: Petition of Rev. A. G. Spigel and 53 others, of Albion, and William A. Marxen, of Battle Creek, Mich., favoring House resolution 377; to the Committee on Foreign Affairs.

Also, papers to accompany H. R. 2854, for pension for Sarah E. Wilson; to the Committee on Invalid Pensions.

By Mr. STEVENS of Minnesota: Memorial of the German-American Veterans' Association of the Grand Army of the Republic, of St. Paul, Minn., protesting against exportation of munitions of war; to the Committee on Foreign Affairs.

By Mr. VARE: Petition of 515 members of St. Pauls Consistory, of Philadelphia, Pa., relative to violation of the spirit of neutrality by the United States; to the Committee on Foreign Affairs.

SENATE.

MONDAY, *January 11, 1915.*

Rev. Ulysses G. B. Pierce, D. D., of the city of Washington, offered the following prayer:

O Thou who in the elder time didst promise unto the fathers that as their days so should their strength be, fulfill unto us, we humbly pray Thee, Thine ancient word of grace, and grant unto us this day such strength of mind, body, and soul as seems to Thee to be needful to us, that this day, by Thy grace, we may work Thy will, to the honor and glory of Thee, who art our God and our Savior. And unto Thee, whose we are and whom we serve, we render all praise, now and for evermore. Amen.

The VICE PRESIDENT. The Secretary will read the Journal of the preceding session.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Norris	Smith, Md.
Brady	Gallinger	O'Gorman	Smoot
Bristow	Goff	Oliver	Stephenson
Bryan	Gronna	Overman	Sterling
Burleigh	Hardwick	Page	Stone
Burton	Hollis	Perkins	Sutherland
Chamberlain	James	Pittman	Thompson
Chilton	Johnson	Poindexter	Thornton
Clapp	Jones	Robinson	Townsend
Clark, Wyo.	Kenyon	Root	Vardaman
Clarke, Ark.	La Follette	Shafroth	Walsh
Colt	Lodge	Sheppard	White
Culberson	Martine, N. J.	Sherman	Williams
Cummins	Myers	Shively	Works
Dillingham	Nelson	Smith, Ga.	

Mr. SMITH of Georgia. I desire to state that the Senator from Indiana [Mr. KERN] is unavoidably detained from the city.

Mr. TOWNSEND. I wish to announce the absence of the senior Senator from Michigan [Mr. SMITH] on important business. He is paired with the junior Senator from Missouri [Mr. REED]. This announcement may stand for all votes to-day.

Mr. CLARK of Wyoming. I desire to announce the unavoidable absence of my colleague [Mr. WARREN]. I will let this announcement stand for the day.

Mr. ASHURST. My colleague [Mr. SMITH of Arizona] is unavoidably absent on business of the Senate. He is paired with the Senator from Connecticut [Mr. BRANDEGEE].

Mr. CHAMBERLAIN. I desire to announce the unavoidable absence of my colleague [Mr. LANE] on business of the Senate.

Mr. CHILTON. I wish to announce the necessary absence of the Senator from New Mexico [Mr. FALL] owing to serious illness in his family. He is paired with the senior Senator from West Virginia [Mr. CHILTON].

Mr. MARTINE of New Jersey. I beg to state that the junior Senator from South Carolina [Mr. SMITH] is unavoidably detained on account of illness in his family.

The VICE PRESIDENT. Fifty-nine Senator have answered to the roll call. A quorum is present. The Secretary will read the Journal of the proceedings of the preceding session.

The Journal of the proceedings of Saturday last was read and approved.

GRAY-THURBER AUTOMATIC TRAIN SYSTEM (H. DOC. NO. 1482).

The VICE PRESIDENT laid before the Senate a communication from the Interstate Commerce Commission, transmitting the report of the Chief of the Division of Safety for the fiscal year ended June 30, 1914, together with a copy of a report concerning a test of the Gray-Thurber automatic train-control system conducted by the commission's experts from April 13 to July 14, 1914, which, with the accompanying papers, was referred to the Committee on Printing.

CREDENTIALS.

The VICE PRESIDENT presented the certificate of the governor of Oklahoma certifying that on the 3d day of November, 1914, THOMAS PRYOR GORE was chosen a Senator from that State for the term of six years beginning March 4, 1915, which was referred to the Committee on Privileges and Elections.

The VICE PRESIDENT presented a certificate of the governor of Ohio, certifying that on the 3d day of November, 1914, WARREN G. HARDING was chosen a Senator from that State for the term of six years beginning March 4, 1915, which was referred to the Committee on Privileges and Elections.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the joint resolution (S. J. Res. 218) to provide for the detail of an officer of the Army for duty with the Panama-California Exposition, San Diego, Cal.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 20150. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1916;

H. R. 20562. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 20643. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors.

ENROLLED JOINT RESOLUTION SIGNED.

The message further announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 257) authorizing the Commissioner of Patents to exchange printed copies of United States patents with the Dominion of Canada, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a telegram in the nature of a memorial from the Montana Association Opposed to Woman Suffrage, remonstrating against the adoption of an amendment to the Constitution granting the right of suffrage to women, which was ordered to lie on the table.

Mr. MYERS presented petitions of sundry citizens of Montana, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Butte, Mont., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. THOMPSON presented petitions of sundry citizens of Independence, Hanover, Natoma, and Pittsburg, all in the State of Kansas, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. BRISTOW presented petitions of sundry citizens of Hudson, Modoc, Topeka, Sylvan Grove, Kansas City, Lanham, Pittsburg, Seward, Bremen, and Great Bend, all in the State of Kansas, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Wichita, Morrill, and Hudson, all in the State of Kansas, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Walsburg and Leonardville, in the State of Kansas, praying for the establishment of a rural-credit system, which were referred to the Committee on Banking and Currency.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of Minnesota, remonstrating against the transmission of anti-Catholic publications through the mail, which was referred to the Committee on Post Offices and Post Roads.

Mr. GRONNA. I present a telegram in the nature of a memorial from the North Dakota Press Association, which I ask may be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

FARGO, N. DAK., *January 9, 1915.*

Senator A. J. GRONNA,
Washington, D. C.:

The North Dakota Press Association in convention assembled strenuously objects to the renewing of the contract for the printing of stamped envelopes. The Government has stepped in and taken away from the country publisher a large part of his business. It has created a monopoly in the printing of stamped envelopes without saving to the Government, and we request that you as our representative do all in your power to prevent the Government from continuing its unjust discrimination against the publishers.

NORTH DAKOTA PRESS ASSOCIATION,
By G. D. COLCORD, *President*,
(And 325 publishers).

Mr. ROOT presented petitions of sundry citizens of New York, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of New York City, praying for the restoration of the protective tariff, which were referred to the Committee on Finance.

He also presented a petition of sundry citizens of Springfield Center, N. Y., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. McLEAN presented petitions of Jacob Haitsch and 57 other citizens of Danbury, Conn., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented memorials of 224 employees of factories in Southington, of C. L. Bowers and 30 other citizens of Hartford, and of 587 employees of factories in New Britain, all in the State of Connecticut, remonstrating against the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a memorial of local branch, Association Opposed to Woman's Suffrage, of Woodbury, Conn., remonstrating against Federal action to enfranchise women, which was ordered to lie on the table.

Mr. BURLEIGH presented a petition of Frontier Loyal Orange Lodge, No. 216, of Vanceboro, Me., praying for the further restriction of immigration, which was ordered to lie on the table.

Mr. TILLMAN. I have received a letter from H. S. Ross, of Chester, S. C., inclosing petitions signed by a large number of citizens of my State who are patrons of the Carolina & Northwestern Railway Co., asking that their interests regarding mail pay be looked into and that they may be granted fair and substantial relief. I move that the communication and accompanying petitions be referred to the Committee on Post Offices and Post Roads.

The motion was agreed to.

REGULATION OF IMMIGRATION.

Mr. STONE. Mr. President, under the heading that has been passed I intended to offer a letter. I should like to present it now and have it read. It is not long.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read the letter.

The Secretary read as follows:

CITY OF CHICAGO, LAW DEPARTMENT,
OFFICE OF THE CITY ATTORNEY,
January 8, 1915.

Hon. WILLIAM J. STONE,
United States Senate, Washington, D. C.

DEAR SIR: I read in the dispatches from Washington that the immigration bill, including the literacy test clause, was passed by the Senate, exempting, however, from such test immigrants from Belgium. This was wise and humane, and I am sure that the heart of every liberty-loving man and woman in America will rejoice that the door of this country will be open to the unfortunate Belgians.

May I be permitted in this connection to call your attention to another country whose fate is even more tragic than that of Belgium? It is Poland. The Poles were robbed of their country nearly 150 years ago. That bloody tragedy, which revealed villainy unparalleled in the his- of modern Europe, by which unfortunate Poland was dismembered and plundered and 25,000,000 of her children were deprived of their liberty, I hope is not yet forgotten; neither, I trust, have the liberty-loving Americans become indifferent to the fate of Poland. The Poles have no country that they can call their own, and those who could get away from the persecution of their oppressors are wandering in every clime and country on the globe.

But permit me to call your attention to the lot of the Polish people in this terrible war. Nearly the whole of Galicia, which is Austrian Poland, with a population of 7,000,000, was first overrun by Russians, then by Austrians and Germans, and again by Russians, and it is now a mass of ruins, and the inhabitants that have not been killed are fleeing from place to place like wild animals—without food and without shelter—trying to escape the shells of the cannons. The same tragic fate befell the 12,000,000 Poles in Russian Poland. The Germans devastated the country to within 6 miles of Warsaw, the Russians completed the work of destruction by driving the Germans back through the same country, and now the Germans are fighting their way to Warsaw for the third time. It is reported that west of the Vistula River, in Russian Poland alone, more than 500 towns, occupied chiefly by Poles, have been destroyed. Everybody heard of Louvain, but hardly anyone heard of Kalisz, a city of 40,000 inhabitants in Russian Poland, which met exactly the same fate as Louvain. The Poles in East Prussia suffered equally, while the same fate is awaiting the Poles in Posen, Russian Poland.

The Belgians have at least the satisfaction that they are fighting for their own country and the hope that if the allies win their wrongs will be righted, but for the Poles, judging from past history, there is but little hope, in spite of the promises that have been made by the three powers. The Poles are compelled to fight not only against their own will, but for a cause that is not theirs, but that of their oppressors. And, what is worse, they are forced to fight against each other, often against their kin—brother against brother, father against son. For them it is a fratricidal war. This is the most ghastly tragedy of this terrible war.

There are about 350,000 Poles in the German Army. About the same number are in the Austrian Army, and about 700,000 in the Russian ranks. There are about 1,500,000 engaged in this war, fighting on one side or the other. And what are they fighting for? Certainly not for Poland. It is admitted by all who have read the reports from the theater of war that the Poles are as fully deserving of commiseration as the Belgians.

I am a naturalized American citizen, have lived here for 32 years, and I am devotedly attached to the country of my adoption, in defense of which I would gladly sacrifice my fortune and my life, but as a native of Poland, I love that unfortunate country which gave me birth, and my heart goes out in sympathy for my unhappy brothers and sisters who have the misfortune to live there.

Let me therefore appeal to you, in the name of humanity, to do for the Poles what the Senate did for the Belgians, namely, to exempt the Poles from the literacy test. Because many of them are illiterate is not their fault, but that of their oppressors. Remember, too, that two of Poland's greatest sons fought for the liberty of this country—Kosciusko and Pulaski—the latter having sacrificed his life at the battle of Savannah.

Very respectfully, N. L. PIOTROWSKI.

Mr. STONE. Mr. President, the writer of that letter is the city counsel of the city of Chicago. He is a distinguished citizen of this country and is of Polish origin. I have no wish to say anything about the matter referred to in the letter. I should like to have the letter referred to the Committee on Immigration, and I should also like to have it go to the committee of conference, if that be permissible.

Mr. LODGE. Mr. President, of course everyone who has listened to this very strong letter realizes the absolute truth of all the statements contained therein in regard to Poland and the misery which exists there; but the immigration bill has gone to conference, the conferees have agreed, and the report is now here in the hands of the Senator from Arkansas [Mr. ROBINSON], whom I do not see in the Chamber at this moment.

I will say to the Senator from Missouri that the vote of the other House against the Belgian amendment was so decided that the House conferees could not yield upon it without taking the matter back to the House for consideration, and so the Senate conferees yielded, and the Belgian amendment went out of the bill.

REPORTS OF COMMITTEES.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the bill (S. 6857) authorizing the retirement from active service with increased rank of officers now on the active list of the Army who served in the Civil War, reported it without amendment and submitted a report (No. 896) thereon.

He also, from the same committee, to which was referred the bill (S. 7051) to authorize the disposal of clothing or uniforms which have become unserviceable or unsuitable, reported it with an amendment and submitted a report (No. 897) thereon.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (H. R. 16673) to provide for the development of water power and the use of public lands in relation thereto, and for other purposes, reported it with amendments and submitted a report (No. 898) thereon.

Mr. LANE, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 13180) to amend the act of March 4, 1913 (37 U. S. Stats., p. 872), so as to provide that in the construction of the public building at Roseburg, Oreg., provision shall be made for the accommodation therein of the United States post office and other governmental offices, reported it without amendment and submitted a report (No. 899) thereon.

Mr. MARTINE of New Jersey, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 16642) authorizing the Secretary of the Treasury to disregard section 33 of the public buildings act of March 4, 1913, as to site at Vineland, N. J., reported it without amendment and submitted a report (No. 900) thereon.

He also, from the Committee on Industrial Expositions, to which was referred the joint resolution (S. J. Res. 106) to amend an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes," approved June 23, 1913, reported it without amendment.

Mr. SHIVELY, from the Committee on Pensions, submitted a report (No. 894) accompanied by a bill (S. 7212) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and wars other than the Civil War and to certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following pension bills heretofore referred to that committee:

S. 1153. David R. Todd.
S. 2716. Samuel Rook.
S. 3318. Letta D. Webster.
S. 3124. Mary B. Howland.
S. 3972. Horace M. Patton.
S. 4406. John A. Shannon.
S. 4905. Noah E. Curtis.
S. 4912. Edward Lenfesty.
S. 4949. John Howard.
S. 5381. Daniel W. Setzer.
S. 5617. William Quinlivan.
S. 5636. Jacob Smith.
S. 5905. Charles Gustoson.
S. 5952. Oscar Ernst.
S. 5993. Vernon D. Blalock.
S. 6098. Ray M. Sherman.
S. 6130. Frank D. Brown.
S. 6238. Marie A. Berry.
S. 6272. Charles W. Coolidge.
S. 6347. Edward J. Gainan.
S. 6415. David W. Cutting.
S. 6427. George J. Newman.
S. 6515. Richard M. Longfellow.
S. 6681. Frank F. Judson.
S. 6733. Robert S. Smylie.
S. 6821. Matthew H. Jackson.
S. 6835. Mary E. Wash.
S. 6904. Samuel L. Hess.

Mr. SHIVELY, from the Committee on Pensions, submitted a report (No. 895) accompanied by a bill (S. 7213) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following pension bills heretofore referred to that committee:

S. 794. Frederika B. Trilley.
S. 2120. George F. Brown.
S. 2146. John Bachtler.
S. 2362. George D. Stebbins.
S. 2524. Isabell C. Dean.
S. 2790. Nancy J. Northrup.
S. 2868. Lucy P. Wheeler.
S. 2874. Catherine Kelly.
S. 2892. William C. Hinson.
S. 3141. Julia C. Nickerson.
S. 3144. Frances E. Berry.
S. 3445. Mary Parsons.
S. 3459. Watie H. Stodder.
S. 3541. Alfred Dearmy.
S. 3570. Clarkson D. Ayers.
S. 3788. Jane Hubbard.
S. 4112. James T. Kent.
S. 4114. David R. Forsha.
S. 4341. Jesse Monticue.
S. 4581. Elizabeth Martin.
S. 4785. James H. Givens.
S. 4877. Egbert Dart.
S. 4985. Larkin Russell.
S. 5240. Anthony Krass.
S. 5246. Henry Miller.
S. 5271. James W. Lansberry.
S. 5367. John H. Condon.
S. 5369. George D. Hamm.
S. 5384. Wealthy L. Kelsey.
S. 5563. Henry C. Jacks.
S. 5567. Harrison Welch.
S. 5642. Martha Lance.
S. 5769. Mary Jane Campbell.
S. 5770. Henry S. Gay.
S. 5772. Agnes M. Heck.
S. 5773. Louise M. Hunie.
S. 5774. Maria B. Hyde.
S. 5776. Johanna Mansfield.
S. 5778. Isabella Neff.
S. 5780. Francis Robinson.
S. 5800. George W. Harding
S. 5818. William H. Hayes.
S. 5820. Robert G. Calhoun.
S. 5829. Albert A. Lance.
S. 5857. Maria E. Pitts.
S. 5891. Clara B. Randall.
S. 5926. Eugene Lenhart.
S. 5944. William D. Boyd.
S. 5992. Ann Simons.
S. 6009. George Warner.
S. 6026. Mary A. Selleck.
S. 6045. Adam F. Wilson.
S. 6063. David L. Cross.
S. 6068. Anna B. Fay.
S. 6087. Roswell Sayers.
S. 6091. Joseph L. Williams.
S. 6105. John T. Allen.
S. 6153. William Lockwood.
S. 6154. James S. Wintemute.
S. 6157. William Roseberry.
S. 6159. Albert W. Dyer.
S. 6166. John Gossage.
S. 6183. William Crouch.
S. 6189. Thomas Jefferson Stafford.
S. 6208. Benjamin McClelan.
S. 6215. David W. Mead.
S. 6222. Hymelius Mendenhall.
S. 6233. John Deering, jr.
S. 6237. Francis C. Wood.
S. 6239. Augusta A. Crommett.
S. 6240. Ella V. Jones.
S. 6258. Charles E. Ewing.
S. 6259. James M. Barnett.
S. 6274. Esli A. Bowen.
S. 6335. John F. Grayum.
S. 6336. Joseph L. Hays.
S. 6337. Sarah E. Squires.
S. 6350. Elizabeth Scott.
S. 6352. James M. Tackett
S. 6354. Hester Morse.
S. 6358. Mary T. Ryan.
S. 6371. Lewis Walker.
S. 6380. John W. Covey.
S. 6387. William W. Graham.
S. 6388. Sylvester Chaplin.
S. 6391. Amy D. Wetherell.
S. 6416. Henry Quint.
S. 6417. Sanford B. Sylvester.
S. 6459. Sarah M. Hicks.
S. 6473. Jacob Jones.
S. 6479. Jonathan Thuma.
S. 6488. John M. Miller.
S. 6494. James F. Brown.
S. 6499. Henry Miller.
S. 6500. William H. Fountain.
S. 6501. Albert E. Magoffin.
S. 6509. John M. Herder.
S. 6522. Carrie M. Case.

S. 6524. Amanda Baxter.
S. 6539. Cora H. Alward.
S. 6541. Alfred J. Adair.
S. 6542. William Porter.
S. 6543. Henry Clay.
S. 6546. Hannah M. Bates.
S. 6550. Joseph N. Stockford.
S. 6561. Salome Nothhardt.
S. 6600. Jefferson Wood.
S. 6601. Eli C. Walton.
S. 6614. Philip Crowl.
S. 6615. Nathaniel Trueblood.
S. 6642. Anna Mary McOmber.
S. 6645. Charles H. Morrison.
S. 6661. Henry Roth.
S. 6665. John C. Hamilton.
S. 6676. John Sigman.
S. 6693. Helen A. Underhill.
S. 6695. Susan E. Holt.
S. 6711. Robert S. Thomas.
S. 6785. Wyatt C. Crawford.
S. 6792. Julia M. Sayles.
S. 6794. Nicholas Metzer.
S. 6797. Gertrude Edmonds.
S. 6799. John T. Hayes.
S. 6800. William Franklin Stotts.
S. 6804. Mary J. Wilcox.
S. 6808. George Turnbaugh.
S. 6825. Isaac Baker.
S. 6826. John Ryan.
S. 6830. Jasper McPhail.
S. 6833. Louisa Bendel.
S. 6834. Stephen K. Ashley.
S. 6836. Samuel McClure.
S. 6840. Earl W. Soper.
S. 6841. Charles Fredrick.
S. 6847. John E. Saunders.
S. 6850. Nancy I. Williams.
S. 6852. James O. Anderson.
S. 6860. Edward Pilot.
S. 6867. James K. Deyo.
S. 6870. Susan E. Manning.
S. 6874. Juriah Cline.
S. 6879. Annette M. Lamoreaux.
S. 6880. Esen Z. Guild.
S. 6884. Emanuel Klepper.
S. 6885. Hiram W. Babcock.
S. 6886. George W. Carpenter.
S. 6897. Rose Anna Nagley.
S. 6914. Robert Jenkins.
S. 6926. Charles P. Harmon.
S. 6928. James Inman.
S. 6930. John H. Masterson.
S. 6931. William Carter.
S. 6932. Maria T. Jones.
S. 6953. Joseph S. Herndon.
S. 6955. Ellen M. Bellows.
S. 6956. Victoria S. Day.
S. 6959. Lucy W. Osborne.
S. 6961. Theodore M. Burge.
S. 6984. Edwin Rudrauff.
S. 7054. Eliza M. Doran.
S. 7055. Louisa Walters.

OPENING OF PANAMA CANAL.

Mr. OVERMAN. From the Committee on Appropriations I report back favorably without amendment the joint resolution (S. J. Res. 223) to provide for the expenses of the formal and official opening of the Panama Canal. I ask for the present consideration of the joint resolution.

Mr. GALLINGER. Let it be read.

The VICE PRESIDENT. The Secretary will read the joint resolution.

The Secretary read the joint resolution, as follows:

Resolved, etc., That the sum of $250,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for such expenses as, in the opinion of the President, are properly connected with the formal and official opening of the Panama Canal and each and every purpose connected therewith, to be expended at the discretion of the President without regard to existing laws and limitations governing ordinary expenditures, and to remain available until the 1st day of January, 1917.

SEC. 2. That the President is authorized to utilize the services of such officers of the Army and Navy as he may designate to assist in the formal and official opening of the Panama Canal. The services of the officers of the Army while so employed shall be counted as service with their organizations within the meaning of all laws relating to the detachment of officers from their organizations for duty of any kind. The actual expenses of officers of the Army and Navy while on such duty shall be paid them in lieu of any mileage allowance to which they may be entitled by law.

SEC. 3. That the President is authorized to use such vessels of the United States Army transport service and of the Panama Railroad for the purposes indicated in this resolution as in his opinion can properly be spared, and any expense connected with the use of such vessels under this resolution shall be payable out of the appropriation herein made, and any vessel not carrying freight-earning cargo used for the purposes indicated in this resolution shall during such use for those purposes be exempt from payment of Panama Canal tolls.

The VICE PRESIDENT. The Senator from North Carolina asks unanimous consent for the present consideration of the joint resolution.

Mr. TOWNSEND. Mr. President, there are bills on the calendar which to me are of a greater importance than this measure. It seems we are not going to be able to reach them but that some favored measures are to be considered in this way. Therefore I object.

Mr. OVERMAN. I wish to say to the Senator from Michigan that this appropriation should be made now if we are going to have any celebration at the opening of the canal.

Mr. TOWNSEND. I desire to say to the Senator from North Carolina that unless the bill which has come up several times for consideration is passed now there will never be any relief given to those entitled to it. The bill I have urged upon the Senate many times I regard as being of much more importance. The volunteer officers' retirement bill is the bill to which I refer.

Mr. OVERMAN. If the Senator desires to defeat the holding of the great celebration at Panama, all right.

The VICE PRESIDENT. Objection is made, and the joint resolution will go to the calendar.

ATLANTIC CANNING CO.

Mr. WHITE. From the Committee on Claims I report back favorably without amendment the bill (H. R. 5195) for the relief of the Atlantic Canning Co., and I submit a report (No. 893) thereon.

On behalf of the junior Senator from Iowa [Mr. KENYON] I ask unanimous consent for the immediate consideration of the bill. The claim therein embraced is entirely meritorious. It has the approval of the Department of Agriculture and of the Attorney General's office, and it has been passed upon by the Court of Claims. The money of this concern in Iowa is in the Treasury of the United States, and has been there for two years. In my judgment the bill should be passed by all means, and I therefore hope unanimous consent will be given for its consideration.

Mr. TOWNSEND. Mr. President, I have great sympathy for the proposition contained in the bill, and for many other claims which are presented, and when I was on my feet a few moments ago I did not give notice that I would object to everything that would be sought to be considered by unanimous consent hereafter. At the solicitation of the Senator from Iowa [Mr. KENYON], who is interested in the matter, and owing to the fact that I have not given such a notice, I shall not object to the consideration of this bill, but I give notice that I shall object to the consideration by unanimous consent of any other matter during the morning hour.

Mr. SMOOT. Let the bill be read, please.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be authorized and directed to pay, out of any money in the United States Treasury not otherwise appropriated, to the Atlantic Canning Co., of Atlantic, Iowa, the sum of $522.90, being the amount paid into the Treasury of the United States from the sale of 498 cases of canned corn sold under the decree of the United States court for the district of Colorado, on the 28th day of August, 1912, in the matter of The United States *v.* Five Hundred and Seventeen Cases of Canned Corn, libel No. 5975, which said decree was afterwards and on the 30th day of October, 1912, by a subsequent decree rendered by said court, vacated and set aside.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LA FOLLETTE:

A bill (S. 7214) to correct the military record of Martin Rosenberg (with accompanying papers); to the Committee on Military Affairs.

By Mr. POMERENE:

A bill (S. 7215) to amend section 5 of the motor-boat law, approved June 9, 1910; to the Committee on Commerce.

By Mr. CHILTON:

A bill (S. 7216) granting a medal of honor to John S. Kenney (with accompanying papers); to the Committee on Military Affairs.

By Mr. JOHNSON:

A bill (S. 7217) granting an increase of pension to James H. Kneeland;

A bill (S. 7218) granting a pension to Irena Ward;

A bill (S. 7219) granting a pension to Al Clark;

A bill (S. 7220) granting a pension to John C. Haley;

A bill (S. 7221) granting a pension to Jesse Kimball;

A bill (S. 7222) granting an increase of pension to Jeremiah Hurley;

A bill (S. 7223) granting an increase of pension to Charles F. Smith;

A bill (S. 7224) granting a pension to Lilian A. Doten;

A bill (S. 7225) granting an increase of pension to John G. Jackson;

A bill (S. 7226) granting an increase of pension to William H. Durham; and

A bill (S. 7227) granting an increase of pension to William F. Margon; to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 7228) granting an increase of pension to John W. Fletcher; to the Committee on Pensions.

By Mr. STEPHENSON:

A bill (S. 7229) granting a pension to Peter Peterson (with accompanying papers);

A bill (S. 7230) granting a pension to Frank Schallert (with accompanying papers);

A bill (S. 7231) granting an increase of pension to Samantha M. Hudson (with accompanying paper); to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 7232) granting an increase of pension to Louisa E. Catterson; to the Committee on Pensions.

By Mr. GRONNA (for Mr. McCUMBER):

A bill (S. 7233) for the relief of the Snare & Triest Co. (with accompanying papers); to the Committee on Claims.

By Mr. BRISTOW:

A bill (S. 7234) granting an increase of pension to Silas B. Hovious (with accompanying papers); to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 7235) granting an increase of pension to Isaac H. Bodenhamer; and

A bill (S. 7236) granting a pension to Frank M. Gilmore; to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 7237) granting an increase of pension to Otis I. Trundy; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 7238) granting a pension to James G. Royse (with accompanying papers); and

A bill (S. 7239) granting a pension to Harold A. Salisbury (with accompanying papers); to the Committee on Pensions.

By Mr. JAMES:

A bill (S. 7240) granting a pension to Jesse Abbott (with accompanying papers); and

A bill (S. 7241) granting a pension to Clementine Williams (with accompanying papers); to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 7242) granting an increase of pension to Joseph Weber;

A bill (S. 7243) granting an increase of pension to Gorham Tufts;

A bill (S. 7244) granting an increase of pension to James Menaugh;

A bill (S. 7245) granting an increase of pension to Martha A. White;

A bill (S. 7246) granting an increase of pension to Michael Kirk;

A bill (S. 7247) granting a pension to Sarah C. Kinsley;

A bill (S. 7248) granting an increase of pension to George W. Windell; and

A bill (S. 7249) granting an increase of pension to Benjamin F. Shepherd; to the Committee on Pensions.

By Mr. WEEKS:

A bill (S. 7250) granting an increase of pension to Elizabeth Adams Nye (with accompanying papers); and

A bill (S. 7251) granting a pension to Katharine H. McDonald (with accompanying papers); to the Committee on Pensions.

By Mr. MARTINE of New Jersey (by request):

A joint resolution (S. J. Res. 225) making formal certain declarations for pensions on file in the Pension Office, said declarations pertaining to the War with Spain; to the Committee on Pensions.

RAILROAD RATES.

Mr. LA FOLLETTE. I introduce a joint resolution, which I ask may be read.

The joint resolution (S. J. Res. 224) limiting charges to be made by common carriers engaged in interstate commerce in official classification territory, and for other purposes, was read the first time by its title and the second time at length, as follows:

Joint resolution (S. J. Res. 224) limiting charges to be made by common carriers engaged in interstate commerce in official classification territory, and for other purposes.

Whereas by an act to regulate commerce, approved February 4, 1887, and acts amendatory thereof, it is provided that all charges made for any service rendered or to be rendered in the transportation of passengers or property by any common carrier engaged in interstate commerce shall be just and reasonable, and that every unjust and unreasonable charge for such service or any part thereof is prohibited and declared to be unlawful; and

Whereas by the terms of said act a commission is created and established, known as the Interstate Commerce Commission, which commission is given authority under said act to inquire into the management of the business of all such common carriers and is required to execute and enforce the provisions of said act on complaint by petition, briefly setting forth the thing done or omitted to be done by any common carrier subject to the provisions of said act; that said commission is given full authority and power at any time to institute an inquiry upon its own motion in any case or as to any matter or thing concerning which a complaint is authorized to be made to or before said commission, or concerning which any question may arise under any of the provisions of said act; that whenever there is filed with the commission any schedule stating a new individual or joint rate or charge said commission is given authority upon complaint or upon its own initiative without complaint to enter upon a hearing concerning the propriety of such rate, fare, charge, classification, regulation, or practice; and at any hearing involving a rate increased after January 1, 1910, or of a rate sought to be increased after the passage of said act, the burden of proof to show that the increased rate or the proposed increased rate is just and reasonable shall be upon the common carrier; and

Whereas in 1910 tariffs were filed by eastern and western railroads proposing certain increased rates which were thereafter disallowed by the commission for reasons stated in its reports or decision thereon; and

Whereas in May, 1913, most of the rail carriers in official classification territory (to wit, in territory north of the Potomac and east of the Ohio Rivers) filed with the commission a petition praying for a reopening of the former proceeding decided in Advance in Rates—Eastern Case, Twentieth Interstate Commerce Commission, page 243, which petition was denied; and

Whereas the commission on June 21, 1913, ordered an investigation (docketed as No. 5860) on its own motion into the following matters: First, do the present rates of transportation yield to common carriers by railroad operating in official classification territory adequate revenues; and, second, if not, what general course may carriers pursue to meet the situation; and

Whereas October 15, 1913, and thereafter from time to time until May 7, 1914, the rail carriers in official classification territory filed tariffs embodying the so-called 5 per cent advances, the increases ranging from less than 3 per cent on some traffic to 50 per cent on other traffic, which increased rates were suspended by order of said commission, and their propriety investigated by order of November 4, 1913 (Investigation and Suspension Docket No. 333), which was thereafter conducted in connection with Docket No. 5860, and investigation completed and argument heard thereon; and

Whereas, on July 29, 1914, the commission handed down its report and decision (31 I. C. C., p. 351), deciding, upon the record, that the net operating income of the carriers in official classification territory, considered as a whole, is smaller than is demanded in the public interest, and suggested 10 sources of additional revenue for all carriers throughout official classification territory, by means of which, through the correction of abuses practiced by the carriers, they might sufficiently increase their revenues, but deciding that no showing had been made warranting a general increase in trunk-line rates, in rail-and-lake rates, or in the rates on traffic moving between the different rate territories in official classification territory, and therefore denying the so-called 5 per cent rate increase; and

Whereas, on September 15, 1914, the railroads in official classification territory joined in a petition for rehearing, which said petition was granted by order of said commission on September 19, 1914, limiting the rehearing to presentation of facts disclosed and occurrences originating subsequently to the date on which the records previously made in Docket No. 5860 and Investigation and Suspension Docket No. 333 were closed; and

Whereas said rehearing was had before said commission on October 19–23, 1914, followed by argument October 29–30, 1914, and taken under advisement by said commission; and

Whereas on December 16, 1914, said commission handed down its report and decision in said case (docket No. 5860, and investigation and suspension docket No. 333), reversing its decision of July 29, and deciding "that by virtue of the conditions obtaining at present it is necessary that the carriers' revenues be supplemented by increases throughout official classification territory," recognizing that war "is a calamity" and that "by it" commerce "has been disarranged and thrust into confusion," thus creating "a new situation" since the former decision of July 29, 1914, and authorizing "the carriers to file tariffs providing with certain exceptions specified therein, for horizontal rate increases in official classification territory"; and

Whereas the report, decision, and orders made and issued by the commission in this advance rate case operate to increase the transportation charges in official classification territory by approximately $50,000,000, solely upon the grounds and for the reason that in the opinion of the commission the railroads are in need of money, as appears by the report and decision of said commission, and not upon the grounds and for the reason that the commission after full investigation was of the opinion that the existing rates in official classification territory were found to be unjust and unreasonable to said

carriers, nor did said commission take, nor did said carriers offer any testimony whatever to show that the existing rates in official classification territory were so low as to be unjust and unreasonable, nor did said commission determine and prescribe as required by law that the advanced rates and charges granted to the carriers by the report, decision, and orders made and issued in said cases were just and reasonable rates and charges; and, as appears of record in said case, the carriers in official classification territory refused to offer any testimony in support of the reasonableness and justice of the increased rates petitioned for and granted in said case; that the course pursued by said carriers in this regard and the decision and orders of the commission in not requiring testimony as to the reasonableness and justice of the proposed advance in rates were without precedent in the history of the commission and are unwarranted by law: Now, therefore, be it

Resolved, etc., That it shall be unlawful for any common carrier engaged in interstate commerce in official classification territory to demand, collect, or receive a greater compensation for the transportation of property from any place in one State of the United States or the District of Columbia to any place in any other State of the United States or the District of Columbia than the charge fixed in the published schedules of rates filed with the Interstate Commerce Commission for the same service between the same points and in force on the 29th day of July, 1914: *Provided*, That any common carrier or carriers in official classification territory desiring to advance or discontinue any such rate or rates may file with the commission any schedule or schedules stating a new individual or joint rate or rates, and thereupon the commission shall have, and it is hereby given, authority, either upon complaint or upon its own initiative without complaint, at once, and, if it so orders, without answer or other formal pleading by the interested carrier or carriers or upon reasonable notice, to enter upon a hearing concerning the propriety of such rate or rates; and after full hearing if the commission shall be of the opinion that any existing rate or rates are unjust or unreasonable or otherwise in violation of any of the provisions of the act to regulate commerce, as amended, and after full hearing concerning the propriety of such proposed new individual or joint rate or rates, the commission is hereby authorized and empowered to determine and prescribe what will be the just and reasonable individual or joint rate or rates to be thereafter observed as the maximum to be charged in said official classification territory: *Provided further*, That upon such hearing to increase said existing rates or rates the burden of proof to show that the increased rate or proposed increased rate is just and reasonable shall be upon the common carrier or carriers in official classification territory.

Mr. LA FOLLETTE. I ask that the joint resolution lie on the table for the present.

The VICE PRESIDENT. The joint resolution will lie on the table and be printed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. OVERMAN submitted an amendment proposing to appropriate $250,000 to provide for the expenses of the formal official opening of the Panama Canal, intended to be proposed by him to the legislative, executive, and judicial appropriation bill (H. R. 19909), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. ASHURST submitted an amendment proposing to increase the appropriation for clerks in the office of the surveyor general, State of Arizona, from $10,000 to $13,000, intended to be proposed by him to the legislative, executive, and judicial appropriation bill (H. R. 19909), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. STEPHENSON submitted an amendment proposing to appropriate $426,672.33, to be placed upon the books of the Treasury to the credit of that portion of the Wisconsin Band of Pottawatomie Indians now residing in the States of Wisconsin and Michigan, etc., intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. GORE submitted an amendment proposing to appropriate $300,000 in aid of the common schools in the Cherokee, Creek, Choctaw, Chickasaw, Seminole, and Osage Nations and the Quapaw Agency in Oklahoma, etc., intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

MILITARY ESTIMATES.

Mr. LODGE submitted the following resolution (S. Res. 517), which was considered by unanimous consent and agreed to:

Resolved, That the Secretary of War be directed to transmit to the Senate the estimates prepared by the General Staff of the Army, before the European war, of the equipment requisite for a mobile army of approximately 460,000 men in time of war in the following respects: Rifle ammunition, field artillery, field-artillery ammunition. Also a statement of this material on hand January 1, 1915, and the amount of material necessary to comply with the estimates of the General Staff.

THE MERCHANT MARINE (S. DOC. NO. 713).

Mr. FLETCHER. I have a copy of an address delivered by Hon. William G. McAdoo, Secretary of the Treasury, before the Commercial Club, at Chicago, January 9, 1915, on the shipping bill as a means for the creation of an American merchant marine. I ask that the address be printed as a public document and that 5,000 additional copies be printed for the use of the Senate document room.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had approved and signed the following acts:

On January 11, 1915:

S. 2651. An act providing for the purchase and disposal of certain lands containing the minerals kaolin, kaolinite, fuller's earth, china clay, and ball clay, in Tripp County, formerly a part of the Rosebud Indian Reservation in South Dakota.

S. 2824. An act to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891.

S. 6106. An act validating locations of deposits of phosphate rock heretofore made in good faith under the placer-mining laws of the United States.

S. 7107. An act to authorize the construction of a bridge across the Ohio River at Metropolis, Ill.

HOUSE BILLS REFERRED.

H. R. 20150. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1916, was read twice by its title and referred to the Committee on Indian Affairs.

The following bills were severally read twice by their titles and referred to the Committee on Pensions:

H. R. 20562. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 20643. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

IMPORT DUTIES COLLECTED AT VERA CRUZ.

The VICE PRESIDENT. The Chair lays before the Senate a resolution (No. 514) coming over from a preceding day, which the Chair understands is, by agreement, to go over until to-morrow.

Mr. CUMMINS. Mr. President, the Senator from Missouri [Mr. STONE] suggested to me this morning that he would like to have the resolution go over for another day. I am willing that that shall be done without prejudice.

The VICE PRESIDENT. Without objection, the resolution will go over until to-morrow morning.

DISTRICT OF COLUMBIA APPROPRIATIONS.

Mr. SMITH of Maryland. I move that the Senate proceed to the further consideration of House bill 19422, the District of Columbia appropriation bill.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

Mr. NORRIS. Mr. President, I desire to offer a few observations on the pending committee amendment.

I desire to say at the start that, like most Members of Congress, I have not been able to give the particular amendment that is now before the Senate the time that it deserves. I believed that it was making so radical a change in the method of appropriating money by which the District is required to pay its proportional part for the upkeep of the District that it ought not to be passed upon by an amendment to an appropriation bill; and without giving the matter any consideration I had intended, and I had so expressed myself in conversation with Senators, to vote against the House provision. But, Mr. President, I have listened as best I could to the debate that has taken place on this amendment; I have examined the provisions of the House bill and the amendment proposed by the Senate committee, and I have been converted to the idea that the House provision is better than the amendment proposed by the committee. I therefore intend to vote against this particular amendment which the committee proposes and in favor of the House provision.

It seems to me that a great deal of the discussion that has taken place on questions of taxation and the valuation of property for the purpose of taxation is not in reality connected with the particular motion that is before the Senate. I want to take up for just a few moments what I believe to be the issue now presented to the Senate and upon which we shall soon be required to vote. Then I shall devote some time to the valuation of property, although I shall be doing what most of the Senators who have debated the question, in my judgment, were doing—

discussing something that is not directly before the Senate, but, nevertheless, an interesting subject, and one that can be very properly discussed on this bill.

The committee amendment proposes that the appropriations for the support of the District of Columbia shall be made on what is ordinarily known as the half-and-half plan; that is, that one half of every appropriation shall be paid out of the revenues of the District derived from taxation and that the other half shall be paid out of the Treasury of the United States. That has been the law and the custom for a great many years. The House bill, in lieu of that, makes a provision—and that is the provision which is sought to be struck out by the committee amendment—that in part I wish to read. I will read the part of it which pertains directly to the issue involved:

That all moneys appropriated for the expenses of the government of the District of Columbia shall be paid out of the revenues of said District to the extent that they are available, and the balance shall be paid out of money in the Treasury of the United States not otherwise appropriated.

Mr. President, I have reached the conclusion, from the debate and from my investigation, and particularly from the language of the bill itself, that that is a just, a fair, and an honest provision, and that, if enacted into law and carried out properly, it would be a good and fair method of paying the expenses connected with the District government. It is not, in my judgment, a full and a complete remedy for existing evils; and right here I wish to call attention to an objection to the House provision which, so far as I have heard, has not been referred to in this debate.

The objection that I see to it—and, to my mind, it is really the only tangible objection—is that if this method were adopted, then, since everybody admits that a portion of the expenses of the District of Columbia must be paid out of the General Treasury, it would always follow that residents of the District desiring an appropriation from Congress would know in advance that what they were asking for would, as a matter of practical application, come entirely out of the Treasury of the United States. In other words, since it is conceded that the amount raised by taxation in the District of Columbia will not be sufficient to pay the expenses of the District, the difference, being paid out of the Treasury by additional appropriations, would always have the effect of coming out of the Treasury of the United States.

The danger of that provision, as I see it, is that Congress would be subjected to a clamor on the part of the citizens of the District without their having any direct interest in the matter except to get the appropriation. In other words, they would not be liable for taxation for the appropriation for which they were clamoring. Ordinarily that would not be a serious objection; but as everybody knows, in matters connected with the District of Columbia most of the Members—perhaps all of the Members of Congress—are unable to give the time and attention that they deserve to the various items of expense and legislation arising in the District. Because of the varied duties of a Member of Congress, he necessarily must slight the details of legislation pertaining to the District of Columbia. He is more apt, and properly so, to be interested in questions of national importance or other questions that may affect his district or his State directly.

But, Mr. President, if this method of taxation is adopted, or if it is not adopted, if the old method is adopted, I believe there ought to be some provision by which the matter can be thoroughly investigated either by a joint committee made up of Members of the two Houses or some other committee by which the subject can be dealt with completely and systematically, with a view of reporting to Congress, for its action, some system that will make this difficulty impossible, or at least unnecessary, in the future. To my mind, however, that is no reason why the provision of the House bill should not be approved. The Members who are opposed to that provision claim that we ought to make this investigation before we make any change in the law. In my judgment the House provision, while not a complete remedy for the future, is a better method than the one that has been in vogue in the past, and for that reason I am going to support it.

I do not see how anyone can logically object to that provision. It is conceded by everybody that the property of the District ought to be taxed and ought to be fairly and honestly taxed. It is conceded likewise by everybody that after it has been fairly and honestly taxed there will not be enough money to pay the expenses of the District government. In other words, I think it is conceded on both sides of this proposition that the General Government ought to pay something toward the support of the District. I am not going into that question now to argue it, because I think it is practically conceded. There are various reasons why it is true, but to my mind it is not material to go into it, because, as I said, it is a conceded proposition.

But when the Government has paid out of the Treasury of the United States whatever may be necessary above a fair and honest taxation of the property in the District, then, it seems to me, no resident of the District can complain of this House provision. That is all it seeks to do. The discussion in the newspapers, and to a great extent on the floor of both Houses, has been along lines that would lead an observer to believe that those who are opposed to this half-and-half plan mean that the District shall pay all the expenses necessary to support the District government. It seems to me now that with the concessions which I believe will be made without dispute on both sides of the proposition it only resolves itself into a question as to what shall be fair.

Does any man in the District claim that he ought to be exempt from taxation? Does any man claim that property in the District of Columbia shall not be fairly appraised and fairly taxed? On the other hand, does anyone believe that after this taxation takes place, as I have indicated, in an honest and logical way, there would be money enough to run the District? I believe both those questions are understood, and that there is a universal agreement on both.

Then the question presents itself to the Senate, as I view it, what should be the method of paying this surplus money out of the Treasury of the United States? It strikes me that the fairest method would be, first, to determine how much the Government of the United States ought to pay, and then to provide by law that that much should be diverted from the Treasury of the United States to the payment of District affairs, and that the balance should be raised by taxation, and that therefore the rate of taxation should not be fixed by law but that it should be subject within limitations to be fixed by the District Commissioners, so that, knowing how much money they would have to raise and what was the valuation, they could easily fix the rate. Then when the citizens of the District came to Congress for an appropriation for improvement and development the interested citizens, those who in fact would have to pay the expense of the improvement after the Government had paid in a lump sum would know the amount that the District would have to pay.

Mr. ROOT. Is not that the exact reversal of the House provision?

Mr. NORRIS. It is. I said that the House provision is not satisfactory to me.

Mr. ROOT. I think the provision which the Senator from Nebraska suggests does obviate certain objections which arise against the House provision.

Mr. NORRIS. I think so.

Mr. ROOT. Whether it does not run into others I have not considered. It does obviate or decrease the objection to the House provision that we here, the representatives of these people in the District, not dependent upon them for their votes, determine whether the expenditures shall be great or small. They might want to economize. There might be an improvement proposed which the people of Omaha would think they could not afford and would vote against, or the people of Utica would think they could not afford and would vote against. The people of Washington have not any such privilege. They can not say whether the conduct of their affairs shall be economical or extravagant. We, who do not represent them, for whom they do not vote, from outside impose upon them either economy or extravagance at our will; and that makes the great injustice of the House proposition, which the Senator from Nebraska would to a great degree avoid by his proposal.

Mr. NORRIS. I should like to say to the Senator from New York that the suggestion which I made, of course, is a tentative one. I have only suggested it. It appealed to me as a remedy, that if there were a committee or a commission appointed to investigate the entire matter and report to Congress it would be a report worthy of their consideration. Of course that is not before the Senate now. We are required here to vote as between the House provision and the committee amendment, which is, in fact, a reenactment of the old law.

Mr. ROOT. Does not the Senator think it would be just as well to leave the law as it is until such a commission has reported?

Mr. NORRIS. I think there ought to be such a commission. I agree with the Senator. I would favor it.

Mr. GALLINGER. Mr. President——

Mr. NORRIS. I will yield in just a moment. I would favor such a commission. I wish it could be put in this bill. I think if Senators who are opposed to changing the half-and-half prop-

osition would propose it, there would be no objection to it. It could be put in this bill, and the commission could be appointed. I do not see why we should wait, however, for that before making this change. As I look at it, here are two propositions before the Senate—the House provision and the amendment suggested by the committee. As between those two, I favor the House provision. We could just as well appoint the commission and have them go on to work if that were in force. I now yield to the Senator from New Hampshire.

Mr. GALLINGER. The suggestion the Senator has made concerning a commission is one that I advocated two days ago. Since that time I have prepared a proposed amendment covering that point, which, if the Senator will permit me, I will have read.

Mr. NORRIS. I will be glad to have it read.

The PRESIDING OFFICER (Mr. WALSH in the chair). The Senator from New Hampshire offers an amendment, which will be read.

Mr. GALLINGER. I will say that it follows the line of the provision under which a commission was appointed, I think, in 1874 to take into consideration the relations between the Government and the District of Columbia.

The SECRETARY. It is proposed to add, on page 91, after line 4, the following proviso:

Provided, That a joint select committee shall be appointed, consisting of three Senators, to be named by the Presiding Officer of the Senate, and three Members of the House, to be named by the Speaker of the House of Representatives, whose duty it shall be to prepare and submit to Congress a statement of the proper proportion of the expenses of the government of the District of Columbia, or any branch thereof, including interest on the funded debt, which shall be borne by said District and the United States, respectively, together with the reasons upon which their conclusions may be based; and in discharge of the duty hereby imposed said committee is authorized to employ such assistance as it may deem advisable, at an expense not to exceed the sum of $5,000; and said sum, or so much thereof as may be necessary, be, and the same is hereby, appropriated for that purpose.

Mr. JAMES. Mr. President——

Mr. NORRIS. I yield to the Senator from Kentucky.

Mr. JAMES. If the Senator from Nebraska will yield, I will state that there was a joint committee appointed in 1876 which investigated this question, and they concluded their report by saying:

The committee considers the fair proportional part thereof which the Federal Government should bear is not less than 40 per cent, and the remaining 60 per cent should be realized by taxation.

That is the latest report we have from a joint committee as to the proportion of burden that should be borne by the District and by the Government. Does not the Senator from Nebraska think that we should adopt the House provision which approximately divides the taxation in the ratio of 60 per cent and 40 per cent as reported by this committee until an investigation is made by the select committee that is to be appointed under the amendment of the Senator from New Hampshire?

Mr. NORRIS. I will say to the Senator from Kentucky as I have already stated, that in my judgment the adoption of a provision providing for a commission or a joint committee like the Senator from New Hampshire has proposed is very desirable, but that desirability does not depend upon whether the House provision or the Senate committee provision is placed in this bill. As far as I am able to see from the reading of the amendment suggested by the Senator from New Hampshire, I *should think* it would be very desirable to put it in this bill as an amendment regardless of whether the House provision or the Senate committee amendment should be adopted.

Mr. JAMES. And if the House——

Mr. SUTHERLAND. Will the Senator from Kentucky read that language again from the report?

Mr. JAMES [reading]:

Your committee has been convinced that it is the duty of Congress to make regular annual appropriations toward the expenses of the District government; and from a careful examination of the estimated value of the property owned by the United States and that belonging to private persons and corporations, the committee considers the fair proportional part thereof which the Federal Government should bear is not less than 40 per cent, and the remaining 60 per cent should be realized by taxation.

Mr. SUTHERLAND. That is, "not less than 40 per cent." Forty per cent is the minimum.

Mr. JAMES. That is the minimum, and the remaining 60 per cent to be realized by taxation.

Mr. SUTHERLAND. The minimum to be paid by the Federal Government is fixed at 40 per cent, rather carrying the implication that it will be greater.

Mr. JAMES. Not at all; because it specifically says that the remaining 60 per cent shall be borne by the District government. That was in 1876. As the Senator of course knows, the city has grown vastly since that time in holdings and the vast property here now is worth a great deal more than it was then.

Mr. LIPPITT. Will the Senator allow me?

Mr. NORRIS. I yield to the Senator from Rhode Island.

Mr. LIPPITT. I should like to ask the Senator from Kentucky the date of that report.

Mr. NORRIS. 1876.

Mr. JAMES. December 27, 1876.

Mr. LIPPITT. I should like to ask the Senator also the date of the present plan by which the District government pays half and the Federal Government pays half. It was 1878, was it not?

Mr. JAMES. 1878. Of course the Senator knows that what we have called the "organic act" has been changed by amendment twice since it was adopted.

Mr. LIPPITT. Not in that respect.

Mr. JAMES. I know, but it has been changed in reference to taxation. An amendment of the act inserted the word "tangible" before "property" and exempted all money, notes, bonds, stocks, and evidences of debt.

Mr. NORRIS. I take it that the report of the commission was made on the theory that the exemption of intangible property would not take place.

Mr. JAMES. Certainly.

Mr. NORRIS. Of course, that would make a vast difference.

Mr. ROOT. The only effect of the exemption of intangible property is to throw a greater burden upon real estate.

Mr. NORRIS. The only effect is to throw a greater burden upon the Treasury of the United States and relieve from taxation a large proportion of the property in the District of Columbia.

Mr. ROOT. It does not throw any burden on the Government of the United States as long as the half-and-half provision continues; the same amount would be raised from the District that would be raised from the Government.

Mr. NORRIS. Of course, if the half-and-half principle would be in vogue, what the Senator says is absolutely true; but if the provisions of the bill as passed by the House were in vogue, then what I have said would be true.

Mr. LIPPITT. Mr. President——

Mr. NORRIS. I yield to the Senator from Rhode Island.

Mr. LIPPITT. It occurred to me to ask the date of the report and the date of the act providing for the half-and-half plan, because it is evident that the result of that report on the Congress to which it was made was the adoption of the present plan. The Senator from Kentucky suggests that the result of the making of that report would be the basis for changing the present plan. It seems to me the more logical conclusion would be that we should retain the present form because it grew out of the very reports to which the Senator from Kentucky has referred, as is manifest from the dates. The report was made in 1876 and the organic act was established in 1878.

Mr. JAMES. Of course the action of Congress was on the half-and-half principle, but here the joint committee of Senators and Representatives in Congress investigated this matter very carefully and made their report, which was 60 per cent and 40 per cent, and Congress, which had perhaps nothing like examined as carefully into the question, made it half and half, but they included taxation upon intangible property, too. They did that and that has since been changed.

Mr. GALLINGER. Mr. President——

Mr. SHAFROTH. I should like to suggest to the Senator from Kentucky——

Mr. NORRIS. I will yield first to the Senator from New Hampshire.

Mr. GALLINGER. I simply desire to occupy the floor for a moment in saying that Congress is not bound to adopt the recommendation of a committee, whether it is a Senate committee or a joint committee. In 1874 that committee did make the recommendations that the Senator from Kentucky called attention to, but in 1878, when Congress got around to pass an act bearing the title "An act providing a permanent form of government for the District of Columbia," the following language is used:

To the extent to which Congress shall approve of said estimates Congress shall appropriate the amount of 50 per cent thereof, and the remaining 50 per cent of such approved estimates shall be levied and assessed upon the taxable property in said District other than the property of the United States and of the District of Columbia.

That was the result of that investigation. It is true Congress did not adopt the recommendation of the committee. Congress, I suppose, looked into the matter very carefully and reached that conclusion which is a part of the statute of 1878.

Mr. JAMES. The Senator——

Mr. NORRIS. First let me yield to the Senator from Colorado [Mr. SHAFROTH], who asked me to yield to him.

Mr. SHAFROTH (to Mr. JAMES). Go ahead.

Mr. NORRIS. All right; I will yield to the Senator from Kentucky.

Mr. JAMES. The reason I called this report to the attention of the Senator from Nebraska was because the Senator from New Hampshire now has offered an amendment which creates a joint commission to do what this joint commission did in 1876. Now, then, if Congress is not going to pay any attention to it, if it is going to be argued after the report comes in as it is argued now, that the action of Congress is to be taken without any regard to the report, and the report is not to be in any way a guide to Congress, what is the need for the commission? But I was directing the attention of the Senator from Nebraska to this report of the commission. If the report of a commission is a good thing to follow, we can follow it at least until this other commission can report, and that directs an allotment of 40 per cent upon the part of the Government and 60 per cent upon the part of the District.

Mr. ROOT. Will the Senator allow me?

Mr. NORRIS. I yield to the Senator from New York.

Mr. ROOT. Mr. President, Congress did adopt the principle of the report to which the Senator from Kentucky called attention. The House amendment now proposes to abandon the principle of the report of the joint committee that there should be a fixed proportion established upon which should be paid all the expenses of the government, such a percentage from the Treasury of the United States and such a percentage to be raised by taxation. That is the principle of the report, and that principle was followed in the act of 1878, with this modification, that instead of making it 60 per cent and 40 per cent Congress made it 50 per cent and 50 per cent. Now, the Senator from Kentucky says there has been a great increase in property since that time. That is true. There has also been a great increase in the scale and character of improvements and of the government of the city.

The Senator from Kentucky would not remember, but the Senator from New Hampshire will remember what this city was 40 years ago. I remember it. Anyone who came to the city then would see that the Government was being conducted upon a most economical and safe basis; that the way in which the streets were kept and lighted and policed, and the way in which the whole business of the community was run, was one which would call for very little exaction of money from the residents here or from any other source. Since then we have become very lavish in our expenditures, and properly so; but if we are to proceed under the idea that there has been a great increase in taxable property, we should also remember that there has been a great increase in the scale upon which we require the capital of this great and prosperous country to be managed. On both sides it is quite appropriate that there should be a reexamination as to the proportion of expense to be borne by each, as the Senator from Nebraska and the Senator from New Hampshire agree. How absurd, however, sir, to abandon the principle which was adopted upon the report of that joint commission, and which has been applied for 37 years, before the commission reports instead of waiting for their report to determine whether or not that principle ought to be abandoned.

Mr. JAMES. Mr. President, if the Senator——

Mr. NORRIS. Just a moment. In my judgment, there is nothing absurd in the House provision of this bill. The defense made of the old law is that it is old, and that it has been in force for 37 years; but the very fact that those who favor it agree that this subject now, under the existing conditions and the light of the present age, ought to be reexamined is, in my judgment, a confession that there is something wrong—a belief, at least, that there is something wrong in the half-and-half proposition. Personally, I believe that that will be found to be true.

The provision of the House bill abandons the principle of the half-and-half division only to the extent that the surplus above what can be fairly and honestly raised by fair taxation in the District shall be paid out of the Treasury. I think it is conceded by everybody that it will be less than one-half. So far as I am concerned, if it were more than one-half I should be perfectly willing to vote for it.

I think we all on both sides of this proposition agree that we ought to be liberal with the District of Columbia and the Capital City; we are all equally interested in it; we are all equally patriotic in regard to it; but when we concede, to begin with, as every man must, that the residents and property owners of this District ought to be taxed fairly and honestly and then provide that what is lacking in revenue shall be paid out of the Treasury of the United States, it seems to me we have been fair. That is what the House bill provides.

Mr. President, I want to say something with regard to taxation in the District of Columbia and something in regard to the appraisement of property here for the purpose of taxation. A great deal of time has been devoted to that matter, and I believe some erroneous ideas have crept into the minds of those who have heard the debate; at least I know I formed a different opinion when I commenced to investigate from the records, as I did when this debate began last week.

I was led to the conclusion that under existing conditions in the assessor's office, with the force as it now stands and the law as it exists, there were not the great errors that many people had been led to believe had existed. We must remember that within the last year, or at least within the last two years, there has been a reorganization of the assessor's office. In my judgment that office is now conducted fairly and honestly, and the valuations of property as compared with actual sales, if examined, will reflect credit upon the men who fixed the valuations; at least it will not be said after such examination that the valuations of improvements in the District of Columbia are too low. In my judgment in many instances they are too high.

I think, in the appraisement of real estate, we ought to have an exemption of the improvements thereon, to some extent; at least the same as we have an exemption as to personal property. When the time comes I am going to offer an amendment to the amendment proposed by the Senator from Kentucky [Mr. JAMES]. I hope the Senator from Kentucky will not leave the Chamber until I finish this particular branch of the subject. The Senator from Kentucky has given notice that at the proper time he will offer an amendment, which will in effect change the existing law in regard to the taxation of intangible personal property. I am going to offer an amendment to the Senator's amendment that will do for real estate values what has been done as to personal property, give a small exemption to improvements. Under existing law in this city a man who plants a tree or a flower is penalized by having his taxes increased, while the man who lets his lot remain vacant and holds it for speculation, permitting it to grow up in weeds, to a great extent gets the benefit of the labor of the citizen who is trying to improve his home and make the city more beautiful both for himself and for everybody else. Therefore I say I am going to offer an amendment to the amendment proposed by the Senator from Kentucky. I am going to move to add to that amendment the following:

That section 5 of said act be amended by adding thereto the following: "*Provided*, That in fixing the value of improvements on any lot or tract of real estate for the purpose of taxation the first $2,500 of value thereof shall be exempt and shall not be taken into consideration in fixing such value."

That would mean that the small home owner building a home, when he made some improvement on his property would not be penalized for doing it by having his taxes increased. It would also apply to the mansion of the millionaire who would have $2,500 exemption, so that there could be no objection to it on the ground that it was class legislation.

Mr. GALLINGER. Will the Senator kindly repeat his statement? My attention was diverted for a moment.

Mr. NORRIS. Certainly. The effect of the amendment would be in fixing the value of real estate for taxation to exempt the first $2,500 of the value of improvements which might be on the real estate. If the improvement on a tract of land that the assessor was appraising was, in his judgment, worth $5,000, he would deduct $2,500 from that sum and leave $2,500, which would be taxed; in other words, there would be an exemption in the improvement on real estate of $2,500.

Mr. GALLINGER. Mr. President——

Mr. NORRIS. I yield to the Senator from New Hampshire.

Mr. GALLINGER. That would only apply, then, to unimproved property? Am I correct in that?

Mr. NORRIS. No; that would apply to improved property.

Mr. GALLINGER. It would apply to property when it was to be improved?

Mr. NORRIS. Of course. The effect of it would be perhaps to increase the taxes on unimproved property. I am willing, Mr. President, to vote for a proposition that will levy a tax on unused vacant and unimproved property in the District of Columbia. The taxation laws here and in a great many other places give an advantage to the speculator in real estate and compel the home builder, the man who wants to improve his property and to beautify the country and the city, to pay an additional tax every time he adds something for the good of humanity. The benefit of the increased value which comes from the improvement now goes to the speculator who holds his property vacant and unimproved simply for the purpose of making money.

Mr. VARDAMAN. Mr. President——

Mr. NORRIS. I yield to the Senator.

Mr. VARDAMAN. Does the Senator's amendment embody that provision?

Mr. NORRIS. Yes; in a modified form.

Mr. VARDAMAN. The idea, as I gather from what the Senator says, is to make it unprofitable to hold unimproved property?

Mr. NORRIS. It would have a tendency to do that.

Mr. VARDAMAN. To prevent a few speculators from buying up land and holding it for high prices; and the Senator's idea is to encourage the building of homes?

Mr. NORRIS. Exactly; the idea is to encourage the building of homes.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Iowa?

Mr. NORRIS. I yield to the Senator from Iowa.

Mr. KENYON. I should like to get the Senator's idea clearly in mind. Suppose a man has a lot worth a thousand dollars, and he builds on it a home worth $1,500, what would the exemption be in such a case? Would there be any exemption at all on the lot or merely on the improvement?

Mr. NORRIS. Merely on the improvement. In the case the Senator puts, if my amendment were adopted and should become a law, if a man had a lot worth a thousand dollars and built a house on it worth $1,500, he would pay taxes on a valuation of $1,000.

Mr. KENYON. If he built a house worth $2,500, he would still pay only on a valuation of a thousand dollars?

Mr. NORRIS. He would still pay on the valuation of the lot; in other words, he may improve his property to the extent of $2,500 without increasing his taxes.

Mr. KENYON. I think the idea is a splendid one.

Mr. SMITH of Maryland. Mr. President, may I ask the Senator a question?

Mr. NORRIS. I yield to the Senator.

Mr. SMITH of Maryland. I may have misunderstood the proposed amendment. Under the amendment do I understand that a property that is of less value than $2,500 is not taxed at all?

Mr. NORRIS. No; only the improvements are exempt in that case. There is no exemption on the real estate or the lot. If the improvement becomes in law part of the real estate, to that extent it is an exemption of the real estate.

Mr. SMITH of Maryland. Then, do I understand that if the improvements are valued at less than $2,500, there is no tax to be paid upon such improvements?

Mr. NORRIS. No tax is to be paid upon the improvements.

Mr. SMITH of Maryland. If a man builds a house that costs less than $2,500, he is to pay no tax on it?

Mr. NORRIS. No tax on the house. He would pay the same tax on his lot as though it were vacant.

Mr. SMITH of Maryland. I understand that the tax on the lot would not be increased at all by virtue of the fact that the owner has improved it?

Mr. NORRIS. No.

Mr. VARDAMAN. I suppose the Senator intends to say that the tax on the lot would not be increased unless there should be an appreciation in the value of the property?

Mr. NORRIS. I do not understand the Senator.

Mr. VARDAMAN. The Senator from Nebraska answered the Senator from Maryland by saying that the improvement of a property, the building of a house upon a lot, would not increase the tax upon the lot. I venture to suggest to the Senator from Nebraska that if the value of the property by reason of the improvement in the locality in which the land is situated should be increased by reason of the improvement the tax would be increased. If the land should appreciate in value, as a matter of course, I presume the Senator's idea is that it would be taxed for what it is worth.

Mr. NORRIS. Certainly.

Mr. VARDAMAN. I wanted the Senator's proposal to be understood.

Mr. NORRIS. Mr. President, the suggestion made by the Senator from Mississippi is a very good one. Technically speaking, there perhaps would be an increase in the value of the lot every time anything is added in the way of an improvement.

Mr. VARDAMAN. And the benefit would extend to adjoining land?

Mr. NORRIS. Exactly.

Mr. VARDAMAN. And the idea of the Senator is not to tax improvements to the amount of $2,500 put upon the land?

Mr. NORRIS. Yes.

Mr. VARDAMAN. But if such an improvement does bring about an appreciation in the value of the land, of course the land would pay taxes for what it was worth.

Mr. NORRIS. I can answer the question by taking a supposed case. Suppose that the Senator from Maryland owned a lot in the District of Columbia, and he built a house on it. Let us suppose that that house cost him $2,500 or less. The tax on the lot would be the same as though he had not built the house; but in case the house cost him, and was worth, $3,500, he would pay a tax on $1,000 of the value of the house.

Mr. SMITH of Maryland. The question which I asked, and which I think was answered by the Senator, was this: If a lot is taxed on a valuation of $1,000, if you build a house on that lot costing $2,250 or $2,500, then, I understand, the tax is to remain as it was before the building was put on the land?

Mr. NORRIS. Yes; though, of course, there is this modification, I will say to the Senator: As suggested by the Senator from Mississippi, an improvement on a particular lot, I suppose, would—although the increase would be so small, perhaps, that you could not compute it for practical purposes—increase the value of all property in that vicinity, and to the extent that all real estate would be improved it would share in paying increased taxes.

Mr. SMITH of Maryland. Then, I understand, under the Senator's proposition the land itself is not to be taxed over and above what it had been previously taxed, and that the building of improvements is not to be considered at all if the cost of such improvements amounts to $2,500 or less.

Mr. NORRIS. In fixing the value of a piece of property for taxation purposes, the assessor, if the improvements on the property cost $2,500 or less, would consider the lot just the same as though the house were not there.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from New Hampshire?

Mr. NORRIS. Certainly.

Mr. GALLINGER. Did I not understand the Senator to say that that same exemption of $2,500 should be given to every man, no matter how expensive a house he built?

Mr. NORRIS. Yes, sir; it would apply to everybody.

Mr. GALLINGER. It is an entirely novel idea, so far as my investigations have gone; and I think if we adopt it the District of Columbia need not have any trouble about the Government paying 50 per cent of the revenues to carry on the municipal government, because it will reduce those revenues to such an extent as will be alarming, I think.

Mr. NORRIS. That only illustrates——

Mr. KENYON. Mr. President——

Mr. NORRIS. Let me reply to the Senator from New Hampshire for a moment. That only illustrates the anxiety that some people have to prevent the small property holder from having some property exempt from taxation.

Mr. GALLINGER. Now, Mr. President——

Mr. NORRIS. The fact is that in the law now we exempt personal property to the extent, I think, of $1,000. I do not believe anyone here denies that that is a wise exemption, but, on the other hand, as to a man who owns a little home, every time he builds a fence or plants a flower or paints his house or puts a shingle on it we penalize him and make him pay more taxes, while the speculator, who owns the adjoining vacant lot, gets the benefit of his energy and expenditure.

Mr. GALLINGER. Mr. President, the Senator, I think, did not mean to apply his observations to me as to any anxiety not to take care of the poor people.

Mr. NORRIS. Oh, no.

Mr. GALLINGER. One trouble with the Senator's amendment is that he takes care of the rich as well as the poor.

Mr. NORRIS. I want to take care of the rich; I want to take care of everybody. I do not believe we ought to make an exemption for one man that we do not apply to another man.

Mr. GALLINGER. Has any such system of taxation as this ever been adopted, I will ask the Senator, in any State in the Union?

Mr. NORRIS. No; not exactly like this.

Mr. VARDAMAN. Mr. President, if the Senator will pardon me, I will say that, so far as the exemption of homesteads is concerned, in most of the States the value of the homestead to be exempted is fixed. If a man owns a home that is worth more than the amount of the exemption, it is liable for his debts. The principle is carried out in that way.

Mr. KENYON and Mr. STERLING addressed the Chair.

Mr. NORRIS. I yield first to the Senator from Iowa.

Mr. KENYON. The Senator from New Hampshire [Mr. GALLINGER] asked the question I intended to ask. Does the Senator from Nebraska know of any State having such a law as the Senator now proposes?

Mr. NORRIS. No; I do not. That is a question, however, Mr. President, that has been discussed and agitated all over the United States. It usually is presented in a more violent form—to exempt all improvements; but my proposition, if it be

adopted, would not exempt all improvements, and would have no particular weight in placing a valuation on an improvement on property where the improvement was the principal part of the value and the real estate was only an incident, but it would be effective in helping out where the improvement is only an incident and the real estate is the principal thing.

Mr. SMITH of Maryland. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Maryland?

Mr. NORRIS. I yield.

Mr. SMITH of Maryland. If I understand the Senator, every piece of property in the city of Washington is to be reduced in taxation by $2,500 from what it is now taxed at?

Mr. NORRIS. No; some of them you could not reduce $2,500. There are some that are taxed at less than that.

Mr. SMITH of Maryland. I understand; of course if the improvements do not amount to $2,500 there is no assessment whatever on them, but, as I understand, everybody is to have the same exemption of $2,500 on any improvement that may be upon any piece of realty?

Mr. NORRIS. Yes.

Mr. SMITH of Maryland. I will say to the Senator that if he does that he is going to reduce very largely the assessable basis in the city of Washington; and, as has been previously said, I take it for granted that the Government will pay more than the amount it pays now. If you take off $2,500 in each case, you are going to decrease the assessable value very largely.

Mr. NORRIS. Let me tell the Senator what would happen. If you have to raise a million dollars from taxation, and you exempt some of the property from taxation, it follows that you must increase the rate of taxation on the property that is not exempt. The effect of this provision would be to give an exemption that would benefit the poor man and perhaps increase the taxation on the man who is holding real estate as a speculation and not improving it. Then, too, if the amendment of the Senator from Kentucky were adopted with it—and this is an amendment to his amendment—it would bring into taxation millions of intangible personal property, mortgages, notes, and so forth, so that the total amount that would be raised from taxation would be more, I think, if the Senator's amendment were adopted with this added to it, than is raised now. It would be, in effect, reducing or removing the taxation of the poor home builder and increasing the taxation as against the money loaner and the speculator in real estate. That would be the effect of it.

Mr. WHITE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Alabama?

Mr. NORRIS. I yield to the Senator from Alabama.

Mr. WHITE. I will ask the Senator from Nebraska if this exemption is not really intended for the poor people.

Mr. NORRIS. It is.

Mr. WHITE. I will ask the Senator from Nebraska further, if one person should happen to own a hundred houses, if he would not get a hundred times as much exemption as the person who owned only one house?

Mr. NORRIS. Yes; the man who owned the house would get a thousand—in fact, more than a million—per cent more of exemption than the man who did not own a house.

Mr. SMITH of Maryland. Does not the Senator recognize that there are many builders here who own large quantities of real estate, and that they would be exempt, notwithstanding they are not poor people? A great many of these houses are held by builders, by speculators.

Mr. NORRIS. Yes.

Mr. SMITH of Maryland. It is the speculators who build these houses. You will find that very often they buy a piece of property and build 10, 20, 30, 40, or 50 houses on it. As I understand, if no one of those houses costs more than $2,500 they will be entirely exempt from taxation.

Mr. NORRIS. Let me answer the Senator's suggestion. Suppose a man owned a lot of vacant land, and this amendment was agreed to, and immediately he started out and built a thousand houses worth $2,500 each, would not that be a pretty good thing for the city, to begin with? What would happen to the poor devil who is paying rent in case there were a thousand houses he could rent instead of only ten houses? The benefit would accrue again to the poor man.

Mr. SMITH of Maryland. I do not see how it would accrue.

Mr. NORRIS. Rents would be reduced immediately.

Mr. SMITH of Maryland. All of these houses would be free from taxation, according to the Senator's theory that the real estate should not be taxed any more. Therefore, on all of these buildings that were bringing the builder a profit he would pay no taxes to the city except the taxes he had previously paid upon his real estate. He would get the benefit of the proposed change.

Mr. NORRIS. He would build a lot of houses, as the Senator suggests. He would not have to pay taxes on them. Could he not rent them cheaper than he does now? Would he not build more houses then than he does now? Would not that have a tendency to make a man save up his money and get a home and pay for it if he could, and beautify it after he had it if he knew that he was not going to be penalized every time he did something of which the public as well as himself got the benefit?

Mr. President, I have here—it is difficult to see this chart, compiled by the assessor's office for me—a map of the business portion of the city of Washington, the part of the city that is presumed to be, and I suppose is, the most valuable and is the best built-up and improved portion of the city, where the most expensive buildings are. It runs over to Fifteenth Street and Sixteenth Street on one side, over beyond Sixth Street on the other, down to K Street north, and down to B Street on the south. Every Senator will recognize that it contains the most valuable improvements in the city of Washington. I have, under this, a list of actual sales that have taken place in the last four years in that particular territory of the city. I find that those sales, scattered all about over that portion of the city, aggregate $16,500,000. That is to say, within the territory included on this map the sales of property that have taken place in the last four years aggregate $16,500,000 as the actual transfer price. Below is a list of the properties and the prices for which they were sold and the assessed values.

On those properties that have been actually sold within four years for $16,500,000, in the aggregate, the present assessed value, fixed by the present board of assessors, is on a basis of $18,500,000. So it seems to me that while there may be, and undoubtedly are, individual cases where the assessment is too low, in the aggregate the charge can not be made against the present assessors that they are valuing property in the best business district of the city of Washington at too low a price.

On this other map I have a plat of the same district which shows the location of every piece of real estate that has been sold in the last four years. It is a map that goes naturally with the first one. The particular pieces of property described here are indicated on this map in red, so you can see that the sales that have been made cover the entire District, and the map is general in its nature. All of the pieces of property marked in red on this map have been sold within four years, and in the aggregate they were sold for $16,500,000. The present valuation placed by the present board on the same property for the purpose of assessment aggregates $18,500,000.

I am glad, Mr. President, to say what I believe ought to be said in defense of the present assessor's force in the District of Columbia, and which I believe demonstrates, as far as the business portion of the city is concerned—and I am going to take other portions soon—a fair and an honest attempt to put the proper value on real estate for purposes of taxation.

Mr. WORKS and Mr. KENYON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nebraska yield, and to whom?

Mr. NORRIS. I yield first to the Senator from California.

Mr. WORKS. I should like to ask the Senator from Nebraska what assurance he has that the prices given here are the real prices for which the property was sold?

Mr. NORRIS. That is a very pertinent and proper question. I took up that matter with the assessor. I went over that very thing with him. Of course we have no law in the District of Columbia that requires the divulging of the consideration when a transfer of property is made, so that if you only looked at the deed you would not get any idea at all of the real value. I asked the assessor this morning how he determined that and whether he made an investigation in every case. He told me that he had one man in his office that he called the "sleuth," who did not do anything else, and that under his instructions this man investigated every piece of property that was sold. Of course he had no law by which he could compel any man to answer under oath; he had to make the investigation, and these figures are based on his conclusions. The assessor told me, however, that he had no doubt whatever of the accuracy, with perhaps a very few exceptions, of this man's reports. He said that, first, when a sale was made this man interviewed the man who owned the property and who sold it; he talked it over with him and got his report. He then talked with the man who bought the property and got his idea. Then he took it up with the real estate agents, if there were any involved in the sale, and got their idea; and the assessor said that it was not a

very difficult thing to get the consideration in that way; that while there were no cases where the report was made under oath, he had no doubt of the accuracy of it. Of course the man making the investigation, in a way an expert, would have some idea of the value himself. He could not be fooled very much after he had investigated for a while. There are other cases where the property went through court, and valuations were made on it in the settlement of estates, and so forth. In those cases he took the court records for that.

Mr. CRAWFORD. Mr. President, is any of this condemned property included in it?

Mr. NORRIS. The Senator refers to property condemned by the Government?

Mr. CRAWFORD. Yes.

Mr. NORRIS. If there is any of it that was condemned, I presume that is true, although I did not ask the assessor particularly. Then, I presume, he took the assessments fixed on it in court.

Mr. KENYON. Mr. President——

Mr. NORRIS. I yield now to the Senator from Iowa.

Mr. KENYON. Does this assessment cover both land and improvements, as the figures are given by the assessor?

Mr. NORRIS. I believe so.

Mr. KENYON. Is there any way of differentiating the amount placed on improvements and the amount placed on land?

Mr. NORRIS. Not in this case. I have some other plats which give that information, and I am glad the Senator has called my attention to that matter.

Mr. KENYON. There is one more question I wish to ask.

Mr. NORRIS. Before the Senator asks the next question, I should like to say that there are some other maps in which that differentiation has taken place, and I should be glad to give the Senator both the improvement and the real estate value.

Mr. KENYON. One other question. The Senator, I think, does not make clear whether his figures as to the basis of assessment are the figures at the time of the sale during the last four years or whether they are the figures now.

Mr. NORRIS. I think they are the figures now.

Mr. KENYON. Then the Senator does not know what the assessment was at the time the property was sold?

Mr. NORRIS. No. My understanding that these figures—I think I stated it in that way—represent the present valuation.

Mr. KENYON. It is the triennial assessment?

Mr. NORRIS. The assessment, I think, that has just been completed. There is an assessment that has been recently completed. I do not know when it was done, but it is the assessment for the present year.

Mr. KENYON. The figures the Senator gives do not show the assessment at the time of the sale, necessarily?

Mr. NORRIS. No; they do not, and it would be fair to say, in answer to that suggestion of the Senator from Iowa, that the property has perhaps enhanced somewhat in value. I wish, however, to call the attention of the Senator to the fact that between the aggregated values of these properties of which sale has been made in the four years last past and the present assessment there is a difference of $2,000,000. That is, the present assessment is $2,000,000 higher than the aggregated sales. Some of these sales, of course, were made four years ago, some three years ago, some two years ago, and some more recently, and it is very probable that the present value of all that property would equal that assessed value.

I am only calling attention to these figures to show that it seems to me, this being the nearest that I can get at it, that the present valuation for taxation purposes is fair, and that it can not be said that it is too low. There has been no great rise in the value of property here, but a steady one, I suppose; and I think it would be fair to say that the value of some of these properties sold four years ago would be considerably enhanced now, and is so enhanced in the valuation that is given them in the present assessment.

Mr. CRAWFORD. Is there not some depreciation which would reduce values where buildings were old buildings and not kept up, thus becoming less tenantable?

Mr. NORRIS. I presume that is so. I presume there might be instances of that kind.

Mr. CRAWFORD. So there might be reductions in some cases?

Mr. NORRIS. Probably.

Mr. JAMES. Mr. President, does the Senator's proposed amendment give the same exemption to all property—not alone to dwelling houses, but to banks and business houses?

Mr. NORRIS. Yes, sir.

Mr. JAMES. To all sorts of property?

Mr. NORRIS. It makes no exception as to anything.

Mr. President, I have here another map showing the sales of what is ordinarily known as acreage property. The portions in red show the acreage property that has been sold within that time. The actual sale price was two and a half million dollars for all of them. That is what they aggregated. They are assessed now on the basis of a valuation of $1,700,000.

Mr. KENYON. Is that the assessment at the time of sale?

Mr. NORRIS. That, again, is the present assessment. It only bears out what I said at the beginning—that I believe the present board of assessors have somewhat revolutionized the method of assessing, as far as being fair in their valuations is concerned, and that they are trying their best to put the assessment on a fair basis. It seems to me they have done it. It seems to me that it is pretty good evidence that they have done it. I have also listed the property in each individual case there, if anyone cares to examine it.

I also had made for me a plat of property with which I am personally acquainted, out in the part of the city where I live, in order to find out whether the valuation placed on property for purposes of taxation is fair. Here I come to the question of fixing the valuation of the improvements as distinct and separate from the real estate upon which the improvements are located. In the maps I have so far shown that distinction has not been made. The information would have been much more valuable had it been made, I concede; but in the short time I had at my disposal I was unable to get it. I had made for me, however, a plat of a street along which I have to pass twice a day in coming to the Capitol where the property is altogether owned by small property owners, where no property is very valuable, and where none of the improvements are very expensive.

I have reached the conclusion that if the assessors of the District are making a mistake, they are making it in placing too high a value upon improvements and upon real estate. They may have made the same mistake in the cases that I have shown from the map; I am not able to say. In the particular case about which I am going to talk now I am satisfied they have made that mistake, and I think it is a serious mistake, although I have no doubt it was honestly made and without any intention to wrong anyone.

This plat [exhibiting] is a map of Macomb Street, running west from Connecticut Avenue. It is two or three blocks in length. The plat contains the name of the owners of each tract, whether it is vacant or improved, the valuation placed upon the real estate, and the valuation placed upon the improvements in each particular case for the purpose of taxation. Macomb Street is about 4 or 5 miles from the Capitol. It is the first street north on the Connecticut Avenue line of the Connecticut Avenue entrance to the Zoological Park. I know all the houses along there. I presume 95 per cent of those houses are occupied by men who own or will own them when they get the mortgage paid off that is on the houses. I have not examined the records, but I have no doubt that in nearly every instance this property is mortgaged. In fact, of the houses I do know about I do not know of a single instance where there is not a mortgage upon the home. They are occupied, as I said, almost exclusively by people who own them and who are trying to pay for them and make homes of them. They are beautified in a modest way. They all have lawns and trees and flowers, and it is a model section occupied by a modest set of people. There is not a house there that in my judgment contains as many as 10 rooms. Most of them are 6-room houses—from 4 to 5 and 6 and 7 rooms—one or two perhaps of 8 rooms.

For instance, on the north side of Macomb Street about a block from the car line there is a house. I have never been in it, but I should judge it has not to exceed four rooms. There are two built close together, and if there are more than four rooms in either one of them they must be small. While I am not an expert, I have built one or two houses, and it seems to me you could build either one of those houses for $1,500. It may be that they are finished off in mahogany inside or something that is expensive. But just listen and see what is the basis of the valuation put on those houses for taxation purposes.

Mr. ROBINSON. Mr. President——

Mr. NORRIS. I yield to the Senator from Arkansas.

Mr. ROBINSON. I desire to inquire if the morning hour has expired?

The PRESIDING OFFICER. It has.

Mr. SMITH of Maryland. I will say that the District of Columbia appropriation bill is the unfinished business.

Mr. ROBINSON. Will the Senator from Nebraska yield to me to present a report?

Mr. NORRIS. Does the Senator want to take it up now?

Mr. ROBINSON. I should like to take it up now.

Mr. NORRIS. I am nearly through, and I would rather finish now.

Mr. ROBINSON. Very well.

Mr. NORRIS. Each one of those houses has a valuation placed upon it by the assessor of $3,300. That is exclusive of the ground on which it stands. There are two other houses just west of those. They are one-story houses. I have never been in either one of them, but I have passed them twice every day. They have an attic, and each one of those I have mentioned have attics. Certainly they could hardly be called living rooms up there in the attic, but they are about as large as the others. They are assessed at $4,200 each. It seems to me that you could build either one of them for $2,000.

Mr. GALLINGER. Mr. President——

Mr. NORRIS. I yield to the Senator from New Hampshire.

Mr. GALLINGER. On what street are those houses?

Mr. NORRIS. Macomb Street.

Mr. GALLINGER. The Senator has been in conference with the assessor, and he has paid, I think, a deserving tribute to the assessors' office. I ask the Senator if he inquired of the assessor concerning those houses?

Mr. NORRIS. The assessor himself did not know anything about them. I talked with him in a general way. I did not call his attention to any specific residences, however.

Most of the houses along there are of the same kind. There is another house just west of the last one I have mentioned which I think contains six rooms and an attic and a bath. It is assessed at $4,200. So all the way down to Connecticut Avenue and up farther west it is the same; all through there is that proportion. I do not believe there is a house there that would cost to build what the assessor has put on it as the value.

That is a section of the city of homes. I have taken one in the highest-priced business portion of the city and another from suburban property—you might call it acreage property, but this has been a section of the city against which, I understand, complaint has been made where there are only modest homes, where there are people living most of whom are in the departments getting salaries of from $1,200 to $2,000, people with families, with children growing up; people who are trying to pay for those homes. I think they are assessed too high.

The real estate, both the vacant property and the improved property, is assessed on this plat just the same. I could not complain about it.

Mr. GRONNA. Mr. President——

Mr. NORRIS. I yield to the Senator from North Dakota.

Mr. GRONNA. It may be that I misunderstand the Senator from Nebraska, but I thought I heard him say that he had investigated the valuation and also the assessment of the high-priced buildings, the palatial homes here.

Mr. NORRIS. No; I have not done that. What I referred to—I think the Senator was not here—was the business portion right in the heart of the city. I have here a map of that part of the city.

Mr. GRONNA. Has the Senator made any investigation as to the valuation and the cost of the so-called palatial homes here?

Mr. NORRIS. No; I have not. I have no information on the subject.

Mr. SMITH of Maryland. If the Senator from Nebraska will pardon me, he recognizes that if these houses are assessed in this improper way they are not assessed according to law, because the law says that they shall not be assessed at over two-thirds of their value, and these people certainly have a redress.

Mr. NORRIS. Let me say to the Senator right there, that perhaps I have conveyed a wrong impression. I have given the valuation for taxation purposes. In these cases the assessment is two-thirds of that valuation, and the law provides that the property shall be assessed at two-thirds of its value.

Mr. SMITH of Maryland. Then, they are not assessed at the amount the Senator stated.

Mr. NORRIS. The value of the assessment is two-thirds.

Mr. SMITH of Maryland. It is two-thirds of that amount.

Mr. NORRIS. Two-thirds.

Mr. SMITH of Maryland. The Senator gave the impression to me, I do not know whether he did to others or not, that these houses were assessed at the amounts he stated.

Mr. NORRIS. I did not intend to convey that impression, and I am glad the Senator called my attention to it; but it makes no difference what was the valuation of the property if you assess it at only two-thirds of its value, when you put the value on the property for the purpose of assessment and do not put it everywhere, and take that proportion of the value, a wrong is done if the value placed on it is too high, no matter what the rate of assessment may be or the proportion that is taken for the purpose of levying a tax.

Mr. CRAWFORD. Mr. President——

Mr. NORRIS. I yield to the Senator from South Dakota.

Mr. CRAWFORD. The Senator has given his opinion about what these houses cost. Did he ever make an inquiry of any of the owners or any of the contractors to find out what, as a matter of fact, the houses cost?

Mr. NORRIS. In one or two instances. I had one of the properties offered me last fall, but I have forgotten the figure.

Mr. CRAWFORD. It seems to me quite material, because——

Mr. NORRIS. It was offered to me for considerably less than the valuation put on it by the assessor.

Mr. CRAWFORD. Of course the evidence of the contractor and the owner would relieve the question from the element of uncertainty.

Mr. NORRIS. Yes; but every man has some idea who has had any experience, when he sees a little house sitting out by the side of a street and passes it every day, by looking at it. Here is a little frame house; you look at it. I have never measured any of them, but I would say there is a house about 20 feet square. I remember building a house once 24 feet square, away out on the western plains, where lumber was very expensive. Perhaps these houses have a better grade of lumber inside, but I built it for less than $1,200, and it was as big as one of these houses, in my judgment. I have never measured it, of course. It is assessed here for $2,200, or the value put on it by the assessor is $2,200. I think there ought to be some exemption in such cases.

We ought to give a premium to men, if we can do it honestly and logically and legally, who want to build up homes. I have no doubt that you can go out in that very street—although I have not tried it—and buy plenty of houses for the assessed value placed on them by the assessor and for less. I know of one which you can buy in that way, and I have no doubt there are several others right in the locality about which I am speaking.

Mr. KENYON. A moment ago the Senator, I think, gave an erroneous impression as to these values. The property is not to be assessed at less than a two-thirds valuation.

Mr. NORRIS. It is not to exceed two-thirds.

Mr. KENYON. Not less.

Mr. NORRIS. It is assessed at two-thirds value in every instance in the District, and, of course, the assessor should apply the same rule everywhere as to valuation, and he ought to do it.

I may be wrong; it may be a very erroneous conception of what our duty may be, but it seems to me that we ought if we can, and I think we can, to do something to relieve to some extent the burden of taxation that falls upon the poor man. We have exempted $1,000 of personal property. Why should we not exempt $1,000 from the man who is building a home? Why should we not encourage the home builder, the effect of which would be to decrease rents? It would help those even who could not build and did not build, because others would build them houses no doubt, and if the man with money builds more houses that means a reduction in the price of rent. We ought to encourage him. It means helping the home builder.

I said at the beginning that I would be willing, if we could, to assess a tax upon all unoccupied, unused vacant property. I think we could raise enough money in that way. Thereby we would drive the speculator out of business. I say that without any feeling against the speculator. I do not blame the man who buys property and holds it to get the benefit of a rise. If I had the money and knew where the property was to which that was going to happen I do not see anything morally wrong or legally wrong about it, but, at the same time, the speculator holding up his real estate, depending for his increased values upon the exertions of men who are trying to build homes, presents a spectacle to us. We tax the man who is making the exertion and is building the house, and making improvements; we penalize him every time he does anything of that kind.

That does not seem to me to be right. It does not seem to me to be fair. It has a tendency to retard development. It has a tendency to increase rents. It has a tendency to prevent men from owning and building their own little modest homes.

REGULATION OF IMMIGRATION.

Mr. ROBINSON. Mr. President, the conferees have agreed upon a report on the disagreeing votes of the two Houses on

House bill 6060, the immigration bill. At the time the report was agreed upon the Senator from South Carolina [Mr. SMITH], who was chairman of the committee in charge of the bill, was called home on account of illness in his family. He requested me to present the report. I do so, and ask for its present consideration.

The PRESIDING OFFICER. The Senate will receive the report. Is there objection to the request made by the Senator from Arkansas for the immediate consideration of the report?

Mr. REED. Mr. President, I ask that the report be printed and that it lie over until to-morrow.

The PRESIDING OFFICER. The Senator from Missouri makes objection. The report will take its usual course. It will be printed.

Mr. ROBINSON. If it is in order to move the consideration of the report, I do so.

The PRESIDING OFFICER. The Senator from Arkansas moves that the Senate proceed to the consideration of the conference report.

Mr. SMOOT. Allow me to suggest to the Senator from Arkansas that under the rule the Senator from Missouri has a perfect right to ask that the report shall go over for a day.

Mr. ROBINSON. Will the Senator read the rule to which he refers?

Mr. SMOOT. I will read it in just a moment.

Mr. CLARKE of Arkansas. Mr. President, I hardly think the Senator from Missouri has a right to send the report over on a single objection. I think he has a right to have it printed, so that the Senate may know what it is going to dispose of when it reaches it. The Senator from Utah [Mr. SMOOT] probably refers to the universally observed custom rather than to the text of any rule. It is a rare thing to require a report on a bill of so much importance as this, when presented, to be disposed of without printing the report if any Senator desires to have it printed. I am satisfied, as far as I am concerned, that my colleague has a right to have the report placed before the Senate formally.

Mr. ROBINSON. If my colleague will yield to me for a moment, I am satisfied that under the rules I am entitled to have the Senate pass upon the question as to whether it will proceed to the consideration of the report at this time, and that that question must be determined without debate; but if the Senator from Missouri desires an opportunity to examine the report, I shall make no objection to the report being printed, which will carry it over for a day.

The PRESIDING OFFICER. The Chair understands that the Senator from Arkansas withdraws his motion?

Mr. ROBINSON. Yes.

The PRESIDING OFFICER. The report will be printed and lie on the table.

Mr. SMOOT. In order that the record may be straight, I desire to say that I mistook the rule. The statement just made by the Senator from Arkansas is correct.

Mr. REED. Mr. President, a parliamentary inquiry. Will the report be now printed without further motion?

The PRESIDING OFFICER. It is so ordered.

The conference report (S. Doc. No. 712) is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 6060, "An act to regulate the immigration of aliens to and the residence of aliens in the United States," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 15, 18, 20, 22, 25, 26, 38, 58, 62, 74, and 95.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 12, 13, 14, 16, 19, 21, 27, 29, 30, 32, 33, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 55, 56, 59, 60, 63, 64, 65, 66, 67, 69, 70, 71, 72, 73, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 88, 89, 90, 91, 92, 93, 94, and agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: Strike out the matter inserted by the Senate and in lieu thereof insert the following: "practice polygamy or believe in or advocate the practice of polygamy"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: Strike out the matter inserted by the Senate and insert in lieu thereof the following: "treaties, conventions or"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lines 3 and 4 of the matter inserted by the Senate strike out "and aliens returning after temporary absence to an unrelinquished United States domicile"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: Strike out the matter inserted by the Senate and insert a period after the word "guests," on page 11, line 21; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In line 1 of the amendment strike out "and" and insert "or"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: Strike out the matter inserted by the Senate and in lieu thereof insert a period; and on page 13, line 18, strike out "for" and insert "For"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: Page 14, line 18, after "commissions" insert "to an alien coming into the United States"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: Page 14, line 19, after "alien" insert "coming into the United States"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the language inserted by the Senate insert the following: "or otherwise"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: After the word "thereto," in the last line of the amendment, insert the following: ", and the provisions of this section shall be excepted from that portion of section 38 of this act, which provides that this act shall not be construed to repeal, alter, or amend section 6, chapter 453, third session Fifty-eighth Congress, approved February 6, 1905, or the act approved August 2, 1882, entitled 'An act to regulate the carriage of passengers by sea,' and amendments thereto"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: After "officers," in line 3 of the amendment, insert "at the discretion of the Secretary of Labor and under such regulations as he may prescribe"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: After "inspectors," in line 3 of the amendment, insert "at the discretion of the Secretary of Labor and under such regulations as he may prescribe"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: Strike out the matter inserted by the Senate and insert in lieu thereof the following: "any alien who at the time of entry was a member of one or more of the classes excluded by law; any alien who shall have entered or who shall be found in the United States in violation of this act or in violation of any other law of the United States, the methods and measure of proof and the destination of deportation to be those specified in the law violated"; and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: Strike out the matter inserted by the Senate and insert in lieu thereof "or who enters without inspection"; and the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: Strike out the matter inserted by the Senate and insert in lieu thereof

the following: "by the master"; and the Senate agree to the same.

E. D. SMITH,
JOS. T. ROBINSON,
H. C. LODGE,
Managers on the part of the Senate.
JOHN L. BURNETT,
AUGUSTUS P. GARDNER,
Managers on the part of the House.

STATEMENT.

The managers on the part of the Senate on the disagreeing votes of the two Houses on the amendments of the Senate to the House bill (H. R. 6060) regulating the immigration of aliens submit the following detailed statement in explanation of the effect agreed upon and recommended in the conference report:

The principal changes in existing law proposed by the Senate to which the managers on the part of the House agree are as follows:

First. The amendment which increases the head tax on adult aliens to $6, coupled with the entire exemption from head tax of minor children accompanying a parent.

Second. So much of the Senate amendment No. 24 as strikes out the House provision prohibiting the exclusion of the wife or minor children of American citizens.

Third. The amendment which substitutes a new section 11, submitted by the Secretary of Labor, to take the place of the House provision relative to surgical examinations on board ships engaged in the transportation of aliens.

Fourth. The amendment which denies to alien prostitutes the privilege of obtaining United States citizenship through marriage.

Fifth. The amendment which requires transportation companies carrying immigrants from Mexico or Canada to the United States to provide suitable landing places.

The principal amendments proposed by the Senate from which the managers on the part of the Senate recede are as follows:

First. The amendment excluding persons of the African race.

Second. The amendment striking the word "solely" from the House provision, which extends exemption from the illiteracy test to refugees from religious persecution.

Third. So much of Senate amendment No. 24 as exempts certain Belgians from the illiteracy test and certain other provisions of the law.

The principal amendments proposed by the Senate to which the managers on the part of the House agree with amendments are as follows:

First. Senate amendment No. 11. The managers on the part of the House agree to so much of this amendment as strikes out of the polygamy clause the words objected to which require an alien to admit his belief in the practice of polygamy as a condition precedent to his exclusion on account of that belief. The managers on the part of the Senate agree to an amendment to Senate amendment No. 11 proposed by the House managers, the effect of which is as follows: A change in the words inserted by the Senate so as to exclude an alien who believes in the practice of polygamy, whether he admits it or not in contradistinction to his exclusion on account of an abstract article in his creed.

Second. To the amendments of the Senate which provide a double inspection and a double medical examination for immigrants the managers on the part of the House agree with amendments giving the Secretary of Labor discretion in the matter. To these amendments the managers on the part of the Senate agree.

E. D. SMITH,
JOS. T. ROBINSON,
H. C. LODGE,
Managers on the part of the Senate.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed consideration of the bill (H. R. 19422) making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

Mr. SHAFROTH. Mr. President, I think the discussion of the pending provision of the District of Columbia appropriation bill has elicited the information that the half-and-half proposition is too high and also that those who are advocating that the revennes be derived from taxation from the property in the District of Columbia would make a system too unjust to the District of Columbia. I think some intermediate proposition is better and fairer, and I expect to propose an amendment to that effect. I believe the reason why the Congress of the United States adopted the half-and-half principle over the report which was made at that time by commissioners appointed that the ratio should be 40 and 60 per cent, was due to the fact that the District of Columbia, at its own expense, had been for many years attempting to maintain a municipal government here, and it had plunged itself into debt to a large extent, and it was found that it could not be done upon the revenues raised upon the property of the District of Columbia. So, in a spirit of generosity, I think, the Congress concluded to ignore the recommendation of the commission and to give a half-and-half amount. The difficulty with the half-and-half principle was that it tended to extravagance on the part of the District of Columbia. Immediately the sentiment has been that as the National Government pays half let us have the improvement. If the Government pays half the expense of street paving, let us have the street paved; if shade trees are to be set out, one-half to be paid by the National Government, let us have the shade trees; if sewers are to be constructed, one-half to be paid by the Government, let us have the sewers.

Mr. SMITH of Maryland. Will the Senator allow me one moment?

Mr. SHAFROTH. Certainly.

Mr. SMITH of Maryland. I think the Senator is in error in saying that the Government pays one-half the street improvements.

Mr. SHAFROTH. It does not now; that is true. I was going to get to that.

Mr. SMITH of Maryland. The property holders pay one-half.

Mr. SHAFROTH. That condition existed immediately after the adoption of the half-and-half principle. The result was, as I said, to shift on the National Government half of everything that was in the nature of an improvement or in the nature of a large municipal expense on the part of the District of Columbia.

The people and Congress began to recognize that on account of the proportion being so large it ought to be curbed, and in the last four or five years there has been a tendency in that direction, so that now in street improvements the National Government and the District together out of their general treasury pay one-half the street improvement and the abutting property owners pay one-fourth each for all the improvement. That is true somewhat as to other improvements. There was a time here, I believe, when the National Government and the District government paid entirely for the sidewalks. Now I think the principle is that the property owners should pay half and the District government and the United States Government together pay the other half.

I know of no city in the Union where the city government itself pays a single dollar toward a sidewalk in front of personal property. In my city the adjoining property pays all the expense not only of the sidewalk but of the street paving. It is considered to be an improvement tax.

Mr. GALLINGER. Mr. President, I will correct the Senator from Colorado by saying that in the little city in which I live the municipality pays one-half.

Mr. SHAFROTH. I know there is a different rule. I do not think it is fair to impose the expense of street paving entirely upon the abutting property, but the rules are different in various cities with respect to that matter. It seems to me it can not be denied, however, that there has been a tendency in the District of Columbia, as there would naturally be a tendency where the Federal Government pays one-half of the expenses, to a degree of extravagance that would not exist where the proportion was a different amount. On that account it seems to me that the Government here has been run in an extravagant manner.

I heard this morning for the first time that the commission which was appointed in 1876 agreed that as between the Federal Government and the property of the District of Columbia the actual proportion of expenses respectively should be as 40 per cent was to 60 per cent. I believe that is a fair proportion, and after the amendment which has been offered has been passed upon I expect to offer an amendment to this effect:

That from and after the 30th day of June, 1916, 60 per cent of all moneys appropriated for the expenses of the government of the District of Columbia shall be paid out of the revenues of said District and 40 per cent out of the revenues of the United States.

Then there will not be such a tendency to throw expenditures upon the joint treasury of the District of Columbia and of the United States if this proportion exists. I believe the ratio of 40 per cent and 60 per cent is perhaps a little high in regard to the proportion which each owns in this District. I think, however, it would be wrong for us to raise the money

for the government of the District as it was raised in the olden times, namely, all upon the District of Columbia, relying upon the indirect benefits which the establishment of a Capital has made here. It is true that some cities would like to have the Capital, and, as some one said here, they would be glad to exempt the property entirely; but it is not right. Take this park that has been condemned recently between the Capitol Building and the Union Station. It was occupied by houses worth hundreds of thousands of dollars, and the taxes assessed and paid upon those houses went into the treasury of the District of Columbia. The Federal Government did not consult the District of Columbia as to whether it would condemn them for a park or not; it went and did it. It took practically hundreds of thousands of dollars away from the District of Columbia and away from its ability to raise taxes to pay its proportion. On that account I do not like the provision as it comes over from the House. It is too indefinite, it seems to me. But if we recognize that after June 30, 1916, there shall be a rule of division between them near the values of the property owned, we will come nearer doing justice to the people of the District of Columbia and to the United States Government.

I believe, as a matter of fact, it would be better even than that to permit the property of the Government to be subject to assessment and taxation, subject to appeal as to the amount of assessment by the Government just the same as in the case of individuals. Then you would get the exact proportion. I would include in that the parks, although gentlemen seem to think that it would be ridiculous to levy an assessment upon a park belonging to the Government of the United States. But whether you call it an assessment and a tax, or whether you call it a proportion paid by the Federal Government, it is practically the same, only one gets a more equitable distribution than the guesswork of the half-and-half principle.

I do not believe that the Senate would adopt the principle of taxation upon Government property, although I believe it would be fairer and more equitable than any other system; but I propose to offer, when the time comes, a ratio of a 40 per cent and 60 per cent. I do not believe in having it take effect until the 30th day of June, 1916, because the valuations which have been placed upon property in the District of Columbia—which, I understand, have been certified—make some $8,000,000, when the amount to be appropriated is only $5,000,000 or $5,500,000. To take two or three millions dollars, which under the rule and the agreement which now exist should be the subject of this joint fund, this proportion of it belonging to the District of Columbia, and then to apply that to the Government's portion, I can not see the justice of it. That seems to me to be radically unjust; and on that account I have made the operation of the amendment to begin on the 30th day of June, 1916, so that the assessors, knowing what is going to take place after that time, can make their assessments in accordance with this law. They have made the assessment already, I understand, which will raise $8,000,000, and they have done it under the impression that a stable and a permanent law is upon the statute books to the extent of one-half and one-half; and to abrogate that now, without any notice whatever, after having raised this money under the impression that it would go for the payment of their part of the expenditures to be paid by the District of Columbia, it seems to me would be radically wrong. It would not be right to take a dollar of that money and apply it to the portion which the United States Government should pay. But after that time this law, if it should pass, having given due notice to all parties of a change in the ratio, and to what I think is a fair ratio, it seems to me that that objection could not apply; and next year, when the assessments are to be made, knowing that 60 per cent is to be paid by the District of Columbia and 40 per cent by the Federal Government, all the officers, knowing those conditions, would regulate their conduct in accordance therewith.

Mr. SMITH of Maryland. Mr. President——

Mr. SHAFROTH. I yield to the Senator from Maryland.

Mr. SMITH of Maryland. The Senator from Colorado, in his proposition of 60 and 40 per cent, postpones the matter until June, 1916. Does he not think it would probably be better to have a commission to investigate, and could we not act more intelligently after an investigation and report, which report could be made by the time of the meeting of the next Congress in December? It seems to me that we would arrive at a solution of the matter just as quickly in that way as we would by the adoption of the proposition of the Senator from Colorado of 60 and 40 per cent. I merely make the suggestion that probably we should then be in better shape to more intelligently determine what would be the proper rate of taxation as to the District of Columbia.

Mr. SHAFROTH. Mr. President, I recognize the fact that the half-and-half principle does not come before Congress often; it is not a matter that gets here from the House very often, and unless on an appropriation bill such as that now before the Senate, the chances are that no action will be taken after the commission does report. There would be no objection to a commission being appointed if they report before June 30, 1916. That would be all right.

Mr. SMITH of Maryland. I suggested that they report before the meeting of the next Congress.

Mr. SHAFROTH. I know; but I think it is pretty clear from this discussion that the injustice exists now in requiring the Government of the United States to pay one-haf. It seems to me that if we, after due notice given to the District of Columbia that the proportion hereafter will be at the ratio of 40 per cent to 60 per cent, it would determine something at least; it would induce the commissioners to report sooner and it would induce Congress to act more promptly than if we should simply appoint a commission with no certainty that Congress will take the matter up, even after they report.

Mr. SUTHERLAND. Mr. President——

Mr. SHAFROTH. I yield to the Senator from Utah.

Mr. SUTHERLAND. The difficulty with the provision of the House and the amendment which is now suggested by the Senator from Colorado, to my mind, is that we have not sufficient data upon which to act intelligently. For instance, we all know—and it has been stated here, I think, several times—that there are many expenses which are put upon the District of Columbia and the Government of the United States jointly which would not properly appertain to a city government, independent of the fact that it is the Capital of the Nation. Attention has been called to the great park system which we have, to the wide streets, to the sidewalks, and all that sort of thing, which, if this were a city wholly apart from its relation to the National Government, the people of the city probably would not have. They involve expenditures which such a city would not undertake to make.

I call the Senator's attention to another item in this bill.

Mr. SHAFROTH. I should like to say right there, if the Senator will pardon me, that there is a good deal of force in what he says, and that argument, to my mind, is conclusive against the theory that municipal government here should be maintained solely by the District of Columbia as it was maintained previous to 1878, but there are things which are now maintained by other municipal governments which are pretty harassing. Take, for instance, the streets in the city of Salt Lake and the streets in the city of Ogden, Utah. They are much wider than are the streets here. We have but one street in this city which compares in width with the streets in Salt Lake City. Those streets are 166 feet wide.

Mr. SUTHERLAND. I am not aware whether the Senator from Colorado knows that a very large portion of those streets as they formerly existed has been taken out of them and turned over to the proprietors of abutting properties to be maintained.

Mr. SHAFROTH. That is what has been done here. You go out Massachusetts Avenue and you will find that 30 or 40 feet have been fenced in, but the width of the street under that same system was previously, I think, 150 feet on Massachusetts Avenue. Those spaces have been fenced in and used in a large portion of those streets by the abutting property owners as front yards.

Mr. SUTHERLAND. I call the Senator's attention to this item of expense, for example—and I think it is illustrative of others—the expense for the maintenance of the Militia of the District of Columbia. We have a city which practically comprises the District of Columbia, with a population of what—350,000?

Mr. SHAFROTH. The population of the District of Columbia is 366,000, I believe.

Mr. SUTHERLAND. We will say 366,000; and yet there is being maintained here a militia organization much larger than that maintained by many States which have a much larger population than has the District of Columbia.

Mr. SHAFROTH. Now——

Mr. SUTHERLAND. Just a moment. Why is that done? It is done because this is the Capital of the Nation, and the militia is organized here primarily as a defense for the Capital City of the Nation. If the District of Columbia had a government separate and apart from its peculiar relation to the United States, it would, of course, not maintain any such militia.

Here we are appropriating in one item $30,000 for incidental expenses and expenses of camps, including hire of horses; here is another item for the pay of troops other than Government employees——

Mr. SHAFROTH. Of how much?

Mr. SUTHERLAND. An appropriation of $24,000. It is to be disbursed under the authority and direction of the commanding general. We are keeping up a very large amount of expenditures of that character which the inhabitants of a city merely as a city ought not to be compelled to pay.

Mr. SHAFROTH. But, upon the other hand, there are a great many expenditures which the National Government pays, but which in an ordinary city would be paid by the municipal government. For instance, take the great stretch of park between the Capitol Building and the Potomac River, and there is not a District of Columbia policeman who patrols that park. Whenever it comes to the fact that the National Government owns something, then the National Government must employ the police force for its protection exclusively.

Mr. SUTHERLAND. Mr. President, I understand the expense of that is divided between the National Government and the District of Columbia.

Mr. SHAFROTH. If that is true, it has been done very recently.

Take the Capitol Grounds. There is not a policeman from the city who comes and patrols them at all, whereas in every other city where there is a public building the police force of the city protects it.

Mr. SUTHERLAND. If the Senator will pardon me, I find here an item with reference to Rock Creek Park.

Mr. SHAFROTH. Oh, Rock Creek Park is a joint park. That is the reason why it should be maintained jointly by the District and the National Government; but wherever the Government exclusively owns a park, the citizens of the District get the benefit of that park just as much as if it were owned jointly by the Government and by the District; but in every one of these instances I understand the National Government, in addition to paying half for their maintenance, also pays for the patrolling of such parks.

These are inequalities that have grown up, and there are reasons one way and the other as to them. I recognize the fact that the United States Government ought to pay, and pay handsomely, to the District, and I think it is more than handsomely paid when the United States pays 50 per cent. I really believe that one-third would be a fair proportion; but in order to be sure that it is a fair proportion I am proposing in this amendment that the Government pay 40 per cent of the amount, and I do so because the very conditions to which the Senator has referred in equity compel the Government to pay here something more than is paid by a State in connection with its capitol or other public building in the State.

One of the principal reasons for making a distinction between the payment by the National Government on the half-and-half principle and of a less amount is the fact that whenever you have had a half-and-half division there has been an inducement upon the part of the municipal government to put everything into the joint fund, to say "We are in favor of the improvement because the National Government has to pay half." If they had to pay three-fifths and the Government two-fifths, it would lessen their zeal to have that amount of appropriation made for the particular improvement or for the particular object desired. It would perhaps curb such a disposition a little more if the proportion were one-third and two-thirds. Still, I want to be fair to the District; I want the District to have good government, and a portion of this amount of money which would come in the division between them is surplus, I recognize. I do not believe that the value of the Government's property is 40 per cent of the entire property of the District, but in order to make sure that the District is not being treated unfairly I should be willing to place it at that amount.

Mr. SMITH of Maryland. I would say to the Senator from Colorado, if he will pardon me, that I think he is not quite fair in his idea about the District of Columbia paying the police in many cases. In the legislative bill the Senator will find that the total amount for public buildings in one place is $86,020, and another $224,550, one-half of which is paid by the Government and one-half by the District of Columbia.

Mr. SHAFROTH. That is for the regular city police.

Mr. SMITH of Maryland. No; that is not for the regular city police.

Mr. SHAFROTH. What is it for?

Mr. SMITH of Maryland. Of the regular city police there are 640. I think I can say that, so far as the police of the city of Washington are concerned, the District of Columbia, together with the Government, pays for as large a police force, probably, as any other city in the Union with the same population.

Mr. SHAFROTH. I have not any doubt of that.

Mr. SMITH of Maryland. The District of Columbia and the Government pay for 640 policemen. I do not know of any city that provides a greater protection in that particular than does the District of Columbia.

Mr. SHAFROTH. There is no doubt about that; in fact, when you take into consideration the amount which the Government itself pays in the way of appropriations for policemen in the various public buildings, unquestionably Washington is the best policed city in all the world.

Mr. SMITH of Maryland. There are a great many parks, I will say to the Senator, as to which the District of Columbia and the Government of the United States each pay a part of the cost of policemen.

Mr. SHAFROTH. Certainly, that is true; but those parks, I understand, belong to the Government and to the District of Columbia jointly. However, in the case of a piece of land like the Capitol Grounds, the city of Washington does not pay any part of the expense of policing them.

Mr. SMITH of Maryland. The Capitol Grounds are policed by the Government.

Mr. SHAFROTH. Yes; but at the same time in other cities such protection is afforded by the general city police.

Mr. SMITH of Maryland. I merely wanted to convey to the Senator the fact that as to the District of Columbia, so far as the amount of money paid for police and for safety to its citizens is concerned, probably there is no city in the Union that pays more or probably as much as does the District of Columbia.

Mr. SHAFROTH. That is quite likely; and I believe it is due to the fact that the Government does pay half that that large police force is maintained. I believe it is more extravagant by reason of that fact.

You must remember that the Government has a number of policemen also at the State, War, and Navy Department Building, where there are 69 privates, 2 lieutenants, and a captain. The District of Columbia does not pay any proportion of that expense. That relieves to some extent the duties of the police of the city. Take the Capitol police. I think we have 83 privates, 2 lieutenants, and a captain here. The District does not pay in proportion in that for every public building in this city there is some police protection paid for exclusively by the National Government.

I do not say that that is wrong. It seems to me, however, that it leads to extravagance in the number of peace officers who may be employed; but nevertheless I mean to say that in the relations between the District and the United States Government the proportion is not ascertained with certainty, and that the Government is paying not only its full proportion but more than its full proportion of the amount required to pay the expenses of the District.

What I believe should be done is this: After the assessment that has been made now is out of the way and the District of Columbia collects all the money that should be raised in accordance with existing law, then there ought to be a different division; and I think in fairness it should be at the rate of 40 per cent to be paid by the National Government and 60 per cent to be paid by the District. That is in accordance with the report of the commission which was made in 1878, which was read here this morning, though I did not know it at the time I prepared the amendment. I sized up the situation and thought that division would be about fair. The commission reported at that time that the value of the property owned by the Government contrasted with the value of the property privately owned in the District of Columbia was in the proportion of 60 per cent for the District and 40 per cent for the Government, and the value of the property of both has been increasing since then at probably about the same ratio. The National Government has been putting up fine buildings here, but at the same time there have been great office and business buildings and many private houses built in the District of Columbia, so that I do not believe there would be much variation from what was then estimated as a just division. It seems to me that such a division would be fairer than the proposition which comes here from the other House, which would have the effect of destroying the half-and-half system and of substituting for it nothing of any definite character.

If such a plan is adopted, the District of Columbia will not know what the situation is. If the District of Columbia on the property within its borders should raise a certain amount of money and Congress thinks it is too large to meet the proportion which under the existing law the District should pay, then it can be applied to the proportion which the United States Government has to pay. That, it seems to me, is not a fair proposition; but when you provide that after the 30th of June, 1916, a different ratio shall be fixed, and the year intervening

is given for the purpose of letting the people know their rights and adjusting themselves to the new condition, then I think the ratio of 40 per cent and 60 per cent would be the nearest approach to equity that we could arrive at, unless Congress should desire to adopt the system of letting the District of Columbia assess the property of the United States Government, the Government to pay according to such assessment. That, in my judgment, would be more accurate; but I do not believe that Congress will adopt such a policy, and for that reason I am going to propose, when the proper time comes, the amendment to which I have referred.

Mr. SMITH of Maryland and Mr. KENYON addressed the Chair.

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). Does the Senator from Colorado yield; and if so, to whom?

Mr. SHAFROTH. I yield to the Senator from Maryland.

Mr. SMITH of Maryland. If the Senator will pardon me, he stated that he had arrived at that conclusion this morning. Evidently he has not given the matter very mature consideration. Does he not think that it would be better to have a commission investigate, look into these various matters, and come to some determination as to what would be the best course to pursue, so that after investigation the matter might be taken up in an orderly way by Congress? Does he not think that in that way we could act more intelligently than we can now?

Mr. SHAFROTH. I will state, as the Senator from Kentucky [Mr. JAMES] suggests, that the subject has been investigated, and it has been found by a commission that the ratio of 40 per cent and 60 per cent is about correct.

Mr. GALLINGER. That report was made 40 years ago.

Mr. SMITH of Maryland. That suggestion was made 39 years ago.

Mr. SHAFROTH. Yes; it was made 39 years ago; but since that time property has probably increased so uniformly that that ratio now is not greatly different from what it was then. The great objection to the proposition of the Senator from Maryland is the fact that we will probably not get at this question again for 10 years.

Mr. SMITH of Maryland. A provision could be made requiring the commission to report by the 5th of next December, when, no doubt, we would have all necessary information and would be able to act more intelligently than we can now do. In such event those who are called upon to act upon the matter now would probably be required to act upon it then. I can see no harm growing out of getting information and finding out what is a proper thing to do. It seems to me that is infinitely preferable to jumping at a conclusion as to what might be proper, because 39 years ago it was determined that 60 and 40 per cent was a just proportion as between the General Government and the District of Columbia.

Mr. KENYON and Mr. LIPPITT addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Colorado yield; and if so, to whom? There are two Senators addressing the Chair.

Mr. SHAFROTH. I yield to the Senator from Iowa.

Mr. KENYON. Mr. President, I tried to get the attention of the Senator on the proposition which he has suggested and which has been suggested here by nearly every Senator who has spoken—that the House amendment does permanently destroy the half-and-half principle. I have a good deal of doubt in my mind as to that. The recitation of the House provision is—

> That the following sums, respectively, are appropriated, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916—

And so forth.

The Senator from Georgia [Mr. SMITH] proposed an amendment, which was adopted, eliminating the provision in the House bill that—

> The amount to be paid from the Treasury of the United States shall in no event be as much as one-half of said expenses—

I do not remember now whether the amendment of the Senator from Georgia went to the point of striking out the words which follow:

> And all laws in conflict herewith are hereby repealed.

It has been my thought that the House provision does not repeal permanently the half-and-half principle, but that it merely covers the present situation as to the funds carried by this bill by providing that the $8,000,000 raised by taxation in the District shall go first to cover the expenses of the District, the balance to be paid from the National Treasury; in other words, that this provision simply destroys the half-and-half principle as to this particular bill; so that, if nothing further were done, when the next District appropriation bill came to be considered the half-and-half principle would still be in vogue. It seems to me that we are simply dealing with the proposition now of having the surplus money arising from District taxation applied to the payment of the expenses of the municipal government of the District.

Mr. SHAFROTH. Mr. President, I do not think the position of the Senator is well taken, because of another paragraph in the House provision, which the Senator has not read and which, it seems to me, evidently is intended as a permanent provision as to the division of the amounts to be paid between the National Government and the District of Columbia. It is as follows:

> That all moneys appropriated for the expenses of the government of the District of Columbia shall be paid out of the revenues of said District to the extent that they are available, and the balance shall be paid out of the money in the Treasury of the United States not otherwise appropriated, but the amount to be paid from the Treasury of the United States shall in no event be as much as one-half of said expenses, and all laws in conflict herewith are hereby repealed.

Mr. KENYON. I should like to ask the Senator if he remembers how much of that was stricken out by the amendment of the Senator from Georgia?

Mr. SHAFROTH. No; I do not.

Mr. VARDAMAN. I ask, Mr. President, that the amendment which was offered by the Senator from Georgia be stated.

The PRESIDING OFFICER. In the absence of objection, the Secretary will state the amendment which has heretofore been agreed to on motion of the Senator from Georgia.

The SECRETARY. The amendment offered by Mr. SMITH of Georgia and agreed to is as follows:

In the House text, on page 2, lines 3 and 4, strike out the words "be as much as," and in lieu insert the word "exceed," so as to read:

> But the amount to be paid from the Treasury of the United States shall in no event exceed one-half of said expenses, and all laws in conflict herewith are hereby repealed.

Mr. SHAFROTH. Mr. President, it seems to me that that is intended to be permanent law. I do not think that is fair to the District; and at the same time I believe that the half-and-half division is not right for the Government.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Mississippi?

Mr. SHAFROTH. I yield to the Senator from Mississippi.

Mr. VARDAMAN. If I am correctly informed, no money is paid out of the Treasury to meet the expenses of this District without an appropriation.

Mr. SHAFROTH. Yes, sir.

Mr. VARDAMAN. Then, the provision which has been read must necessarily have bearing only upon this bill, and a year from now or six months from now or a week from now, if another bill were pending making appropriations to meet the expenses of the District government, a provision could be inserted that would repeal the provision which it is now proposed to place on the bill. Certainly it has no permanent binding force beyond the life of the pending bill unless Congress shall see fit to keep it alive.

Mr. SHAFROTH. Yes; I have no doubt it can be repealed on the next appropriation bill; but the difficulty is that it evidently is intended as a permanent disposition of the half-and-half principle, because it repeals all laws in conflict therewith. Ordinarily a bill designed to be merely temporary does not provide for the repeal of all laws or parts of laws in conflict with it. It has been talked about in the newspapers, has been referred to in the discussions in the House, and has been understood as a proposition to change the present half-and-half division.

Mr. SMITH of Maryland. And dispose of the surplus that the District of Columbia has raised over and above the amounts necessary to meet its proportion of the expenditures of the District.

Mr. SHAFROTH. Yes, sir; and I think that is wrong. I think that whatever the District of Columbia has raised should be sacredly devoted to the expenditures on the part of the District of Columbia, and should not be used by the Government to pay its half of the amount of the joint appropriation.

The difficulty, however, with the provision in the House bill is that it leaves the situation chaotic; it does not determine what proportion shall be paid hereafter. The uncertainty of the thing is something that is to be seriously objected to. The District of Columbia will not know how to act; it will not know how to order an improvement to be made; it will not know what proportion it will have to pay. If all the revenues to be raised in the District are to be taken, then you will find that the authorities of the District will begin to see to it that very little revenue shall come in; they will make it sure that they will not have any surplus whatever, because they will

say "If we raise in the District of Columbia a large amount of money, the National Government will use it for the payment of its part of the joint municipal expenses of the District of Columbia."

Mr. JAMES. Mr. President, is not the Senator mistaken about that? In the District of Columbia whatever is expended, whatever goes into the Treasury for District purposes is entirely controlled by Congress. The Senator's argument that the District may do this, that, or the other, or prevent this, that, or the other, I do not think can be sustained at all in view of the fact that we are absolute masters of that situation.

Mr. SHAFROTH. Oh, yes; we are absolute masters, and we should be very careful not to do any wrong to the District of Columbia. The people of the District of Columbia now are acting on the basis of the half-and-half principle; they are making their assessments, they are making their estimates, as to how much revenue they will need upon the theory that the National Government will pay one-half.

Mr. JAMES. And yet under the present low rate of taxation, manifestly intended to exempt the gold hoarder, the bondholder, and the coupon clipper from taxation, the District of Columbia obtains more than the half it is required to pay under the half-and-half system to sustain the city government.

Mr. SHAFROTH. That may be.

Mr. SMITH of Maryland. Mr. President, I will say, if the Senator will pardon me, that the judgment of the committee was that many things were asked for by the various departments of the District government which we thought ought to have been allowed, but in our disposition to economize we cut them out.

I will also say to Senators here that if we had allowed what in our judgment was for the benefit of the District and for the benefit of the Government the whole amount of the taxes collected from the District of Columbia would have been absorbed.

Mr. JAMES. I thought, Mr. President, that the argument which has been used to sustain the half-and-half system was that that system was necessary in order that the government of the city might be one of splendor and of grandeur. I understood that was the reason for the half-and-half system. The Senator from Maryland now tells us that the District of Columbia has been dealt with in a parsimonious way.

Mr. SMITH of Maryland. I said that if we exercised our judgment we would have allowed many items which were not allowed, but there seemed to be a wave of economy in connection with everything.

Mr. JAMES. And a very good wave, too.

Mr. SMITH of Maryland. Taking that into consideration, and also in view of the conflict which we thought might arise at the other end of the Capitol, we gave way and did not appropriate for certain projects which we otherwise would have provided for.

Mr. JAMES. I feel sure that the efficiency of the city government has been in no way injured by lack of sufficient appropriations on the part of the Senator's committee.

Mr. SMITH of Maryland. I can say to the Senator from Kentucky that I believe if he had been present at some meetings of the committee when appropriations were asked for he himself would have said that they should have been allowed.

Mr. JAMES. Yes.

Mr. SMITH of Maryland. For instance, many things in the school department and in other branches of the public service, especially in connection with a certain hospital here. The fact is, that there is a hospital in this city, the condition of which is a crying shame. It would not be tolerated in any small county or any small town, and it should be supplanted by a better hospital, by one that is becoming and befitting the city of Washington. If the Senator would take the trouble to visit the municipal hospital, or, more properly speaking, the alms house, I think he would at once say that there should be quite a large appropriation—probably an appropriation of half a million dollars or a million dollars—to provide adequately for the care of the poor and feeble of this city. I do not believe there is a Senator in this Chamber who, if he would go there and look at the conditions, would not say at once that that should be done.

There are other needs of a similar nature which should be met; so that the whole amount of money collected in taxes in the District of Columbia could, in my judgment, properly be devoted and used in the interest of the city and in the interest of the Government of this country.

Mr. JAMES. Then, I will say in answer to that, that if I were on the committee—and I am not undertaking to draw any invidious comparisons—if the hospital is in that condition, to which my attention has not been heretofore directed, instead of buying hundreds of acres to add to an already overparked city, I would have taken care of the hospital. Then, in addition to that, I would have reached out with the hand of fair and honest taxation after these fortunes, these money hoarders, these gold owners, these coupon-clipping and the interest-bearing security owning class who are escaping taxation. Certainly I would not allow the hospitals of this great city to go without sufficient, even generous, appropriation, nor especially so when in order to do it I had to allow wealth to escape just taxation.

Mr. SMITH of Maryland. I will say to the Senator from Kentucky that, so far as I am concerned, I have no disposition to defend the people of whom he speaks.

Mr. JAMES. I am very glad to hear the Senator say that, and up to this time I have noticed that the Senator had not championed the tax-dodging class.

Mr. SMITH of Maryland. Had not done what?

Mr. JAMES. Had not defended this "intangible property exemption," and I congratulate the Senator upon that position.

Mr. SMITH of Maryland. I will say, further, that we did appropriate a sum of money the last time that was cut out, and we felt that probably this was not the time to make the request.

Mr. JAMES. But the point I am making is this: I have nothing against Washington. I am just as proud of it as anybody else. I never have a constituent that comes to see me that I do not take pleasure in either going around with him or having some one that works for me go with him to show him the grandeur of the Capital City. But while I want to deal with the city generously and deal with its charitable institutions in the most splendid fashion, yet, at present, while we are failing to do that, we are allowing a class of people to escape taxation that ought not to be allowed to go untaxed. That is my position.

Mr. GALLINGER. Mr. President, will the Senator permit me?

Mr. SHAFROTH. I yield to the Senator from New Hampshire.

Mr. GALLINGER. The Senator from Kentucky is greatly concerned about taxing intangibles in the District of Columbia. I believe they are taxed in Kentucky, are they not?

Mr. JAMES. They are.

Mr. GALLINGER. Yet the report of the special tax commission of the State of Kentucky for the year 1914 says:

> By common consent the law is universally evaded.

That is, in the State of Kentucky.

Mr. JAMES. I will say that by common consent that statement is not true.

Mr. GALLINGER. It is the statement of the tax commission of the State of Kentucky.

Mr. JAMES. I can show that hundreds of thousands of dollars have been collected from intangibles. The only tax I pay in Kentucky—because I own no land and no house there—is partly upon tangible property, which is a library and furniture, and in addition to that every dollar of taxation I pay in my State is paid upon what you allow to escape here—intangibles, notes, securities. Not only that, but hundreds and thousands of Kentuckians do the same thing. It is always the argument that is used, however. Whenever you undertake to tax somebody that has something, who is of the rich class, it is said that if you do it he will either leave the place or he will lie about it and escape taxation. I have this to say: Let us write the law fairly. This is the Nation's action. The law here ought to be a model one. Let us write it dealing justly with all, and then, if a man tries to dodge it, let us prosecute him for perjury or false swearing, and if he wants to leave here, let him go. The District will be better off without him.

Mr. GALLINGER. While I have not combated the idea of taxing intangibles in the District of Columbia if Congress thinks it wise, the fact is, as I shall show in a little while, that it has not been a great success in a great many States where it has been tried, and the State of Kentucky is a shining example. The tax commission of 1914 in the State of Kentucky say:

> The great dependence that is placed on the taxpayer's statement is the first weakness. It is not safe to assume that the taxpayers will list all their property. We know that they don't and won't. Everybody knows it.

Mr. JAMES. And the very tax commission that made that report went before the Kentucky Legislature and tried to get the legislature to pass a bill relieving from taxation the fortune holders of that State, and, as I remember it, they never got support in either house sufficient to have a favorable report upon their action, and the legislature absolutely refused to give any sort of approval to the finding of that commission or to take any action in keeping with its report. I know there were a few gentlemen in Kentucky, just as there are here, that wanted to

put all the taxes on the home-owning and the land-owning people of my State; but when they undertook to do that before the Kentucky Legislature they aroused those who theretofore had been silent, and when they made themselves heard the gentlemen were not successful in installing there a taxation system that exempted the bond-holding and gold-hoarding and security-owning class.

Mr. GALLINGER. I am glad to know that Kentucky continues virtuous in that behalf. I was reading from the report of the special tax commission of the State of Kentucky.

Mr. JAMES. Yes; that is true; and that special tax commission was repudiated by the Kentucky Legislature.

Mr. GALLINGER. I do not know who appointed that commission.

Mr. JAMES. It does not matter who appointed it. I can tell the Senator who appointed it, however. The governor of Kentucky appointed it; but that did not affect the sentiment among the people in favor of just taxation, and it did not affect the legislature of the State, which refused to follow it.

Mr. GALLINGER. In this report the commission does not ask to have the law changed, but it calls attention to the fact; that is all.

Mr. JAMES. Yes; but they did undertake to have it changed. A bill was introduced in the Kentucky Legislature in keeping with that report. The Kentucky Legislature, however, refused to accept it and voted it down, and the same principle of taxation exists there now that has existed heretofore.

Mr. SHAFROTH. Mr. President, this discussion is very illuminating, but the difficulty is that it has no relation whatever to the section which is now before the Senate nor to the amendment which I am proposing.

Whether this money is to be raised by a tax on intangibles or whether it is not is immaterial as to this amendment. It does not relate to the amendment which I have introduced. In this discussion I find that first I am attacked in my position by the gentlemen who believe in the half-and-half principle, and that then, before I get through a statement of that kind, I am attacked by the gentlemen who believe in the House provision. I am between two fires. I must say, however, that when I propose a compromise measure I feel very much like the judge who, having decided a case from which both the plaintiff and the defendant wanted to appeal, said that he thought that was the best evidence of the justice of the judgment.

I believe that the division which has occurred here between Senators who believe in the half-and-half principle upon the one hand and, upon the other hand, those Senators who believe in the House provision, the fact that they do not agree and neither of them agrees with me indicates that the compromise between the two, doing away with the half-and-half principle and dividing it on the basis of 40 per cent and 60 per cent, is about justice between the District of Columbia and the United States Government.

Mr. GALLINGER obtained the floor.

Mr. CLARK of Wyoming. Mr. President, will the Senator yield to me for one moment?

Mr. GALLINGER. I yield.

Mr. CLARK of Wyoming. I suppose the Senator from New Hampshire has given more study to this question than perhaps any other Member of the Senate. In view of the small number of Senators present I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	Norris	Shively
Bankhead	Hardwick	O'Gorman	Smith, Ga.
Brady	Hitchcock	Oliver	Smith, Md.
Bristow	Hollis	Overman	Smoot
Burleigh	Hughes	Page	Sterling
Burton	James	Perkins	Stone
Chamberlain	Johnson	Poindexter	Sutherland
Chilton	Jones	Pomerene	Swanson
Clapp	Kenyon	Ransdell	Thomas
Clark, Wyo.	La Follette	Reed	Thompson
Cummins	Lane	Robinson	Thornton
Dillingham	Lee, Md.	Root	Tillman
du Pont	Lippitt	Saulsbury	Vardaman
Fletcher	Lodge	Shafroth	Walsh
Gallinger	Martine, N. J.	Sheppard	White
Goff	Nelson	Sherman	Williams

Mr. SMITH of Georgia. I desire to announce that the junior Senator from South Carolina [Mr. SMITH] is unavoidably absent from the city on account of sickness in his family. As soon as the presence of a quorum is announced I desire, at his request, to ask for him a leave of absence for the next few days.

Mr. OVERMAN. I desire to announce that my colleague [Mr. SIMMONS] is necessarily absent at his home. I will let this announcement stand for the day.

Mr. SHIVELY. I desire to announce the unavoidable absence of my colleague [Mr. KERN].

The PRESIDING OFFICER. Sixty-four Senators have answered to the roll call. A quorum is present. The Senator from New Hampshire will proceed.

Mr. GALLINGER. Mr. President, I was about to observe when I was interrupted by the roll call—which, I apprehend, will not do very much good, so far as giving me an audience is concerned—that this discussion has been illuminating in some respects and very mystifying in others. The amount of misinformation that is abroad concerning matters relating to the District of Columbia would make a large book. I apprehend that I have some misinformation in my own mind concerning these affairs, but I think I know something about them.

I have said a good many times in debate in the Senate that the District of Columbia is an experiment station, so far as legislation is concerned. Where inequality, injustice, and wrong exist in the States in matters of taxation and otherwise, with apparently no effort to remedy them, the representatives from those States come here and undertake to make Washington what they call a model city by urging legislation of an entirely different character from that which prevails in their own communities.

I heard yesterday a statement that the Government paid all the expenses of the Zoological Park. I knew that was not so, and I tried to say so, but did not get an opportunity. I will direct the attention of Senators to the act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1915, on page 20, where they will observe that the revenues of the District of Columbia are appropriated for one-half the support of that park, just as they are for one-half the support of the great Rock Creek Park.

It has been suggested also that the District of Columbia does not pay anything for Potomac Park. I think that was suggested in the debate to-day. Mr. President, if Senators will go to the sundry civil appropriation bill for 1902—and the same thing has been carried through all our appropriation bills—they will find, under the head of "Buildings and grounds in and around Washington," that they embrace a great many items.

For improvement and maintenance of grounds south of Executive Mansion, $4,000.
For ordinary care of greenhouses and nursery, $2,000.
For ordinary care of Lafayette Park, $1,000.
For ordinary care of Franklin Park, $1,000.
For improvement and ordinary care of Lincoln Park, $2,000.
For care and improvement of Monument Grounds, $5,000.
For continuing improvement of reservation No. 17, and site of old canal northwest of same, $2,500. * * *
For construction and repair of post-and-chain fences, repair of high iron fences, constructing stone coping about reservations—

And 20 other items.

For improvement, care, and maintenance of various reservations, $20,000.
For improvement, care, and maintenance of Smithsonian grounds, $2,500.
For improvement, care, and maintenance of Judiciary Park, $2,500.
For laying asphalt walks in various reservations, $2,000.
For improvement of that part of Potomac Park west of and adjacent to Monument Park, * * * to be immediately available, $70,000.
For broken-stone road covering for park roads and walks, $2,000; for curbing and flagging, * * * $2,000; for the improvement of Iowa Circle, $2,500—

Then this language follows:

One-half of the foregoing sums under "Buildings and grounds in and around Washington" shall be paid from the revenues of the District of Columbia, and the other half from the Treasury of the United States."

Mr. President, it has been stated over and over again that these parks are policed by the Government. The watchmen on these parks are paid one-half from the revenues of the District of Columbia and one-half from those of the General Government. So there seems to be a good deal of misapprehension and some confusion of ideas on this subject.

I am not going to be put in the position, and no man can put me in the position, of objecting to any fair legislation concerning the affairs of this District. The only position I take is that so far as the so-called "organic act." declared to be that by the Supreme Court of the United States, is concerned, it ought not to be violently overthrown without due consideration and due investigation of the proper relations between the Government and this great District. On that one point I want to submit some observations. I want to be as brief as possible.

The question of taxation has troubled wise men, I apprehend, almost from the foundation of the world. To my knowledge, New Hampshire, which is a reasonably intelligent State, has been struggling with the question of taxation for 50 years, and is still struggling with it. A few days ago we inaugurated a most excellent man as governor of our State—a man with progressive ideas, a man of rare business integrity and

high principles. In his inaugural to the legislature, discussing this question of taxing intangibles in New Hampshire—and, as I have said a hundred times, I do not oppose the amendment of the law so as to include intangibles in the District of Columbia if it is thought desirable to do it—he said:

> One of the most difficult problems in taxation arises from the fact that under our constitution every class of property either must be taxed at its full value, regardless of the income from it, or must be entirely exempt from taxation. The result is that the tax on bonds and on some mortgages often is more than half of the income from the security. Such a tax is unjust, impossible to collect, inequitable, and unreasonable. Investors can not afford to hold such securities and are driven to put their money into investments more hazardous but less severely taxed. Thus this tax bears most heavily upon widows, trustees, and others who can least afford to pay it. In other words, it is a rich man's law, pure and simple. Because of this tax, some of our residents have moved to other States where the tax laws are more favorable, and for the same reason desirable citizens have been deterred from coming to New Hampshire to live.

That, Mr. President, is the opinion of a fair-minded, intelligent man, with large business experience, who has looked into this matter and has come to the conclusion which he expresses.

Take it in this District, Mr. President. In a single week I made inquiry of seven different owners of real estate regarding the purchase of a house at the request of a friend of mine, as he had thought of making a purchase in the District of Columbia. In every instance I was met with the suggestion that there was a trust deed on the house, oftentimes one-half the estimated value of the house. Those trust deeds carry in this District a rate of interest ranging from 4½ to 5 per cent. Those trust deeds are what we call mortgages in our States. If they are to be taxed, it goes without saying that the money will not be available at 5 per cent, certainly not at 4½ per cent. I do not know what proportion of the houses belonging to the poorer classes of the District of Columbia have those trust deeds on them, but I do know that it would be rather startling if we could ascertain the proportion. The result will be, so far as mortgages are concerned, if we reach out to tax those, that the borrowers of money in this District—and they include the poorer class—will have to pay a higher rate than they are paying at the present time.

Perhaps it is desirable to do it. I do not oppose it. I do not object to it. I only call attention to that circumstance.

This matter of taxing intangibles is one that has attracted a good deal of attention. Some States have such laws; other States have not. I called attention to what a special commission on taxation of the State of Kentucky said as to what was going on in that State. I have here, likewise, statements from some other States showing the same thing—that they are not collecting the tax they thought they were going to collect. The State of Illinois is an example, and in one other State that I might quote the tax commission has said that the law has been a failure; but if it is thought wise to try it in the District of Columbia, I certainly shall not stand in the way of it.

There is great inequality in the matter of taxation everywhere. There is here. There is in my little city. There is in every city of the United States. No man or men have been wise enough to evolve a system of taxation that will be just and equitable all along the line.

I have been handed a list of cities. I do not vouch for it, beyond the fact that it was given to me by a gentleman interested in this question. This list shows a great inequality in the assessed valuation in these various cities. I am going to read this list, and if there are any inaccuracies or misstatements in it, they can be readily corrected by the Senators who come from the States where those cities are located.

This list shows that Des Moines, Iowa; Cambridge, Mass.; Dayton, Ohio; Toledo, Ohio; Columbus, Ohio; Jersey City, N. J.; Newark, N. J.; Cincinnati, Ohio; Baltimore, Md.; Cleveland, Ohio; and New York assess their property at presumably its full value. The law requires it, as it does in New Hampshire; but it goes without the saying that they do not do what the law requires.

Coming to other cities I find that Salt Lake City has an assessed valuation of 33 per cent and Omaha 20 per cent. That seems to be correct, from the fact that Omaha has a population of 128,912, and the assessed valuation is only $23,435,000, while Dayton, Ohio, has a population of 120,364 a little less than Omaha, and has an assessed valuation of $110,540,269. Richmond has an assessed valuation of 75 per cent; Scranton, 80 per cent; Memphis, 60 per cent; Syracuse, 85 per cent; Birmingham, 50 per cent; Atlanta, 60 per cent; St. Paul, 60 per cent; Louisville, 70 per cent; Indianapolis, 60 per cent; Kansas City, 50 per cent; Minneapolis, 50 per cent; Washington, 67 per cent; New Orleans, 75 per cent; Los Angeles, 50 per cent; Milwaukee, 90 per cent; Buffalo, 75 per cent; Detroit, 75 per cent; and Pittsburgh, 95 per cent.

Mr. President, that shows the inequalities that exist in the various cities of the United States, and it shows, too, that upon the full valuations computed from the above figures Washington has a higher per capita valuation than almost any other city in the United States. I submit that for what it is worth.

Mr. President, I am not getting excited over this question at all, because it makes no difference to me. I have no interests here that are to be affected one way or the other. I have given a great deal of time to the consideration of matters relating to the District of Columbia, more than I ought to have given, very likely. I have tried to acquaint myself with the facts in the case.

It seemed to me on Friday that if we were to upset this so-called half-and-half principle adopted over 30 years ago, we would involve ourselves in a great deal of difficulty, so far as the legislation now on the statute books is concerned. It is very much like our saying, Why not impose a discriminating duty on imports from foreign countries, as was done in the early days of the Republic, and get revenue from it? That was tried in the tariff act which is now on the statute book, but they found, as some of us stated they would find, about 30 treaties in the way of carrying out that law, and hence it has been allowed to go by default. So in regard to the District of Columbia.

I happened to be looking over the statute books, and I came across one item which attracted my attention, and it seemed to me that it ought to be repealed before we did this revolutionary act, because in a sense it is revolutionary. I sent to the Municipal Building and asked them if they would look up the matter, and there are a great many other laws which ought to be repealed or which would be affected by legislation of this kind.

This amendment proposes the abrogation of the half-and-half system of appropriating for the expenses of local government in the District of Columbia, and therefore the repeal of the organic act of June 11, 1878, to the extent that said act is in conflict with this amendment. There is no doubt about that.

For a number of years following the passage of the organic act all moneys collected by the local authorities arising from any municipal activity or function were looked upon and disposed of as revenues of the District. But from time to time during these years special measures have been passed by Congress, mostly in the form of provisos in appropriation acts, whereby the revenues of the General Government have been credited with one-half of amounts of certain collections. For the fiscal year 1913 the total amount credited to the United States in this way was $276,894.95, and in the fiscal year 1914, $244,445.99. In other words, Mr. President, acting upon the half-and-half principle we have passed laws providing that moneys which are to be returned to the Treasury, unexpended balances, receipts from the sale of articles that have been purchased jointly by the District and the Government, shall be divided upon the principle of half and half.

Now let us see what laws we run into. The details of these collections for the United States, respectively named, are as follows:

Through collector of taxes.

Fees:	
Advertising taxes	$2,395.25
Bathing beach	366.45
Building permits	13,107.60
Crematorium	387.50
Electrical permits	2,740.00
Gas and meters	3,063.35
Health department	210.00
Municipal court	19,342.61
Pound	462.50
Public-convenience stations	1,377.29
Railings, etc	411.50
Sewer and gas permits	4,076.00
Surveyor	8,304.16
Tax certificates	2,336.25
Water-service permits	1,601.00
Superintendent of weights, measures, and markets	3,141.36
Rents:	
Wharves, street termini, and buildings	11,387.05
Fish wharf, including wharfage fees	1,421.47
Sales:	
Old material	2,980.16
Houses	117.65
District regulations	117.48
Manure and street sweepings	56.75
Workhouse	3,648.34
Alleys	1,462.08
Special assessments:	
Assessment and permit work, sewers	35,980.99
Assessment and permit work, sewers, interest	1,275.37
Main and pipe sewers	337.00
Main and pipe sewers, interest	18.05
Suburban sewers	2,635.00
Suburban sewers, interest	168.16
Assessment and permit work, streets	50,721.80
Assessment and permit work, streets, interest	1,358.97
Various sections	1,632.33
Various sections, interest	80.66
Suburban streets	2,875.10
Suburban streets, interest	73.78

Special assessments—Continued.	
Interior park	$1,590.97
Interior park, interest	5.64
Street extensions	24,453.72
Street extensions, interest	495.53
Miscellaneous:	
Board and care of insane	4,899.25
Tuition nonresident pupils, public schools	7,533.17
Police court, unclaimed collateral	31.00
Judgments	4,108.19
Damages to District property	286.07
Automobile wheel tax	20.00
Railroad passenger tax, Highway Bridge	5,891.99
Condemnation of Engine House No. 3, square 683	9,062.00
Baltimore & Ohio Railroad Co., account construction of Cedar Street subway and bridge, Takoma Park	7,619.91
Reimbursement account appropriations for extension of water mains pursuit to act of June 26, 1912, first installment	17,118.41
Total	264,795.86
Less amount transferred from United States to District of Columbia revenues after close of year in Treasury Department for railroad passenger tax, Highway Bridge, for passengers carried Jan. 1, 1912, to June 30, 1912	2,830.63
	261,965.23

Mr. President, that money, at the close of the year, has been turned over to the government of the District of Columbia on the principle of the half and half. Now, let us repeal the statute, the organic law, so called, as it stands to-day.

By the way, that reminds me to call attention to the fact that there is to be no apportionment of these revenues upon a basis that can be well calculated. Suppose we exact the nearly $7,000,000 the District has collected from the taxpayers this year, and the appropriation bill carries $11,200,000. The District would have a proportion of 7 to 4.20, and I do not see how in the world they could very well apportion the various items that are to be returned to the Treasury. Certainly it would be a pretty complicated system of bookkeeping, and we would be called upon to appropriate for a great many more clerks than are provided for in this bill.

Deposited in Treasury direct.

Surplus fees:	
Register of wills	$273.36
Recorder of deeds	6,833.72
Clerk, court of appeals	1,829.53
Clerk, supreme court	286.58
Rents, engineer in charge of public buildings and grounds	1,424.44
Sales:	
Engineer in charge of public buildings and grounds	183.87
Disbursing agent, Smithsonian Institution, account National Zoological Park	87.28
Engineer in charge Washington Aqueduct	258.69
Register of wills	2.25
Washington Market Co. franchise rental	3,750.00
Total collections deposited to credit of United States account fiscal year ended June 30, 1913	276,894.95

Those amounts are turned back into the Treasury.

Through collector of taxes.

Fees:	
Advertising taxes in arrears	$2,281.20
Bathing beach	429.35
Building permits	12,411.55
Crematorium	187.50
Electrical permits	2,532.50
Gas and meters	2,877.90
Health department	239.00
Municipal court	17,232.52
Pound	640.38
Public-convenience stations	1,451.31
Railings, etc	465.00
Sewer and gas permits	2,978.50
Surveyor's fees	6,767.95
Tax certificates	2,059.50
Water-service permits	1,190.00
Sealer of weights and measures	3,214.02
Rents:	
Wharves, street termini, and buildings	12,998.86
Fish wharf, including wharfage fees	5,052.08
Sales:	
Old house on property bought by District of Columbia	28.00
Old material	2,743.01
District regulations	168.18
Manure and street sweepings	36.50
Services and supplies	2,678.48
Workhouse	6,477.39
Special assessments:	
Assessment and permit work, sewers	32,216.87
Interest	1,373.72
Main and pipe sewers	26.18
Interest	2.60
Suburban sewers	1,416.35
Interest	93.28
Assessment and permit work, streets	48,008.54
Interest	1,516.61
Various sections	1,302.37
Interest	43.97
Suburban streets	3,267.15
Interest	116.31
Interior Park	2,055.59
Interest	80.88
Street extensions	7,347.97
Interest	485.26
Miscellaneous:	
Board and care of insane	$9,103.32
Tuition of nonresident pupils, public schools	6,431.08
Police court, unclaimed collateral	83.50
Judgments	43.80
Damages to District property	364.82
Railroad passenger tax, Highway Bridge	6,257.10
Reimbursement of the United States by the water department on account of advances for extension of water mains	20,000.00
Reimbursement of the United States for one-half of cost of site of District pound and stable	4,100.00
Total	232,886.95

That money is turned back upon the principle of the half and half.

Mr. President, those are some of the matters that we would have to deal with, and I will come to a good many others in a moment.

Deposited in the Treasury direct.

Home Title Insurance Co., account District Supreme Court, expenses, in re Capitol Plaza condemnation, rebate on expenses, abstracts of title	$412.50
Recorder of deeds, surplus fees	2,928.24
Register of wills, surplus fees	38.63
Clerk of Court of Appeals, surplus fees	2,392.77
Disbursing agent Smithsonian Institution, sale of old material, National Zoologic Park	34.38
National Training School for Girls, sales	5.00
Engineer in charge Washington Aqueduct, sales of old material	450.00
Engineer in charge public buildings and grounds:	
Sales of old material	192.02
Rents	1,355.50
Washington Market Co., rental	3,750.00
Total collections deposited to credit of United States fiscal year ended June 30, 1914	244,445.99

It is submitted in all fairness that if it be decided that the District of Columbia shall, to the extent of its revenues, pay the expenses of local government, with the United States contributing the residue between the amount of the revenues and the appropriations for each fiscal year, that all these laws whereby the General Government is the beneficiary should be either repealed and the District of Columbia permitted to retain all of these moneys as a part of its revenues or else the several laws in reference to these various moneys should be modified so that they may conform to the amendment in question. In principle, at least, the District is entitled to claim as its own all moneys which flow or result from local administration.

It seems most inadvisable to abrogate the half-and-half system, which has been in operation for 37 years, until a thorough and careful investigation has been conducted upon which a conclusion could then be reached and the equities of the United States and the District of Columbia in the premises carefully weighed and definitely determined.

If the amendment in question be adopted, then all acts which Congress has passed from 1878 down to the present time which in any way affect local revenues should be inquired into and made to conform to the new procedure. The following laws, hastily arranged and therefore not to be accepted as being all the laws bearing upon the matter, are submitted to illustrate this point:

MISCELLANEOUS FEES.

"SEC. 10. On and after July 1, 1912, fees collected by the District of Columbia shall be paid into the Treasury of the United States and the District of Columbia in equal parts, as follows, namely, fees of superintendent of weights, measures, and markets; fees of surveyor's office; health department fees; pound fees; fees for railing permits; fees for building permits; fees for electrical permits; bathing beach fees; fees from public-convenience stations; fees for tax certificates; fees of the municipal court; and fees collected by the building-inspection division on account of permits, certificates, and transcripts of records issued by the inspector of buildings; and the surplus fees of the recorder of deeds and register of wills, together with the tuition of nonresident pupils in public schools and the tax of one-half of 1 cent paid by any street or other railroad company for each passenger carried across the Highway Bridge; and the annual wheel tax on all automobiles or other motor vehicles." (District of Columbia appropriation act, Approved June 26, 1912.)

COURT OF APPEALS.

"That on or after July 1, 1912, the fees collected by the clerk of the court of appeals, District of Columbia, shall be deposited in the Treasury, one-half to the credit of the District of Columbia." (Legislative appropriation act, approved Aug. 23, 1912.)

SUPREME COURT.

"That on and after July 1, 1912, the surplus fees collected by the clerk of the Supreme Court of the District of Columbia shall

be deposited in the Treasury, one-half to the credit of the District of Columbia." (Legislative appropriation act, approved Aug. 23, 1912.)

ADVERTISING TAXES.

"Advertising taxes in arrears * * * to be reimbursed by a charge of 50 cents for each lot or piece of property advertised." This appropriation being payable half and half, reimbursements are made in like proportion, United States and District of Columbia, one-half each. (Annual District of Columbia appropriation acts.)

PUBLIC CREMATORIUM.

"All fees collected under the provisions of this act shall be paid to the collector of taxes of the District of Columbia, and be by him deposited in the Treasury of the United States, one-half to the credit of the United States and one-half to the credit of the District of Columbia." (Act to provide for the establishment of a public crematorium in the District of Columbia, and for other purposes, approved Apr. 20, 1906.)

GAS AND METERS, LEASES OF STREETS, WHARVES, RESERVATIONS, AND WHARF CHARGES.

"That hereafter all fees collected by the inspector of gas and meters and the harbor master and amounts collected for leases of streets and reservations and wharf charges shall be paid to the collector for payment into the Treasury to the credit of the United States and the District of Columbia in equal parts." (District of Columbia appropriation act, approved July 18, 1888.)

SEWER, WATER, AND GAS PERMITS.

"That the fees authorized by this section shall be paid to the collector of taxes of the District of Columbia and by him deposited in the Treasury of the United States, one-half to the credit of the United States and one-half to the credit of the District of Columbia." (Act of Apr. 28, 1892; 27 Stat., 21.)

SALE OF OLD MATERIAL—SURPLUS FUND—UNEXPENDED BALANCES, DISTRICT APPROPRIATIONS.

"That hereafter any moneys received from the sale of animals or materials of any sort purchased under appropriations made for the District of Columbia since July 1, 1878, other than the water department, shall be paid into the Treasury of the United States to the credit of the United States and the District in equal parts; and all balances of appropriations that have been heretofore made or that shall be made hereafter for the District of Columbia under section 3 of the act of June 11, 1878, entitled 'An act providing a permanent form of government for the District of Columbia,' heretofore or hereafter remaining unexpended at the end of two years from the close of the fiscal year for which such appropriations have been or shall be made, shall be covered into the Treasury, one-half to the credit of the surplus fund and one-half to the credit of the general fund of the District of Columbia." (Act of Mar. 2, 1889; 25 Stat., 808.)

That is the act that my eye fell upon which led me to think there might be other statutes of the same nature.

SALE OF DISTRICT REGULATIONS.

"* * * such publications shall only be disposed of by sale at not less than the cost price and 10 per cent thereof; and all moneys received from the sale of said regulations shall be paid into the Treasury of the United States to the credit of the District of Columbia and the United States in equal parts." (Deficiency appropriation act, approved Mar. 4, 1911.)

WORKHOUSE SALES.

"That the Commissioners of the District of Columbia are hereby authorized, under such regulations as they may prescribe, to sell to the various departments and institutions of the government of the District of Columbia the products of said workhouse, and all moneys derived from such sales shall be paid into the Treasury, one-half to the credit of the United States and one-half to the credit of the District of Columbia." (District appropriation act, approved Mar. 2, 1911.)

ASSESSMENT AND PERMIT WORK.

"On and after July 1, 1911, all collections for work done under the assessment and permit system shall be deposited by the collector of taxes in the Treasury of the United States to the credit of the revenues of the United States and the District of Columbia in like proportion as the said revenues were charged with the appropriations provided for their respective purposes." (District of Columbia appropriation act, approved Mar. 2, 1911.)

INTERIOR PARK.

"* * * That of the amounts found due and awarded by the jury in said condemnation proceedings as damages for and in respect to the land to be condemned, plus the cost and expense of said proceeding, not less than one-third thereof shall be assessed by the jury as benefits." (District of Columbia appropriation act, approved Mar. 2, 1911.)

This appropriation being payable half and half, the assessments for benefits are being deposited in like proportions.

STREET EXTENSIONING ASSESSMENTS.

The costs and expenses of the condemnation proceedings taken under the various acts, plus specific awards for damages payable thereunder, are assessed wholly or in part against property benefited and the moneys covered into the Treasury as specified in the particular act.

"Lanier Place and Eighteenth Street: That of the amount found to be due and awarded by the jury in said proceedings as damages for and in respect to the land to be condemned for the extension of Lanier Place, Eighteenth Street, and the connecting streets above described, plus the cost and expenses of the proceeding taken hereto, not less than two-thirds shall be assessed by the jury as benefits. * * * The amounts assessed as benefits when collected shall be covered into the Treasury to the credit of the revenues of the District of Columbia and the United States in equal parts." (District of Columbia appropriation act, approved Mar. 2, 1911.)

"Extension of Q Street NW.: That the entire amount found to be due and awarded by the jury in said proceedings as damages for and in respect of the land to be condemned for said widening and extension plus the cost and expenses of said proceedings shall be assessed by the jury as benefits. * * * The assessments for benefits, when collected, to be covered into the Treasury in equal parts to the credit of the revenues of the District of Columbia and the United States. (District of Columbia appropriation act, approved Mar. 2, 1911.)

"Land near Connecticut Avenue Bridge—Belmont Road to Calvert Street and Waterside Drive: The amounts assessed for benefits to be paid to the District of Columbia and covered into the Treasury to the credit of the revenues of the District of Columbia and the United States in equal parts. (Public act, No. 73, approved Mar. 2, 1910.)

"Extension of Nineteenth Street from Belmont Road to Biltmore Street: Amount appropriated for costs, etc. * * * To be repaid to the District of Columbia from the assessments for benefits and covered into the Treasury to the credit of the revenues of the District of Columbia and the United States in equal parts. (Public act, No. 184, approved May 18, 1910.)

"Road along south bank of Anacostia River: That one-half of the amount found to be due and awarded as damages for and in respect of the land condemned for said road, together with the costs and expenses of the proceedings, shall be assessed by the jury as benefits * * * and a sufficient amount to pay for the land taken hereunder is hereby appropriated, one-half to be paid out of the revenues of the District of Columbia and one-half out of any money in the Treasury not otherwise appropriated. The costs being paid half-and-half, the assessments are repaid in like proportion." (Public act, No. 336, approved Mar. 4, 1909.)

REIMBURSEMENTS ACCOUNT, BOARD AND CARE OF INSANE.

"Hereafter all collections or reimbursements on account of charges paid or payable by the District of Columbia for the care and support of the insane of said District at the Government Hospital for the Insane shall be made to the Commissioners of the District of Columbia and covered into the Treasury of the United States to the credit of the revenues of the United States and the revenues of the District of Columbia in equal parts." (Deficiency appropriation act, approved Mar. 4, 1913.)

TUITION NONRESIDENT PUPILS, PUBLIC SCHOOLS.

"Pupils shall not be admitted to or taught free of charge in the public schools of the District of Columbia: * * * *Provided*, That any other nonresident pupil may be admitted to and taught in said public schools on the payment of such amount, to be fixed by the board of education with the approval of the Commissioners of said District, * * * and all payments hereunder shall be paid into the Treasury of the United States, one-half to the credit of the United States and one-half to the credit of the District of Columbia." (District of Columbia appropriation act, approved June 26, 1912.)

POLICE COURT UNCLAIMED COLLATERAL.

"Hereafter all moneys remaining in the hands of the clerk of the police court for a period of two years and more for which claim or demand has not been made by the persons entitled thereto shall be paid over by the said clerk to the collector of taxes of the District of Columbia, and by him deposited in the Treasury to the credit of the revenues of the District of Columbia and of the United States in equal parts." (District of Columbia appropriation approved May 18, 1910.)

JUDGMENTS IN FAVOR OF THE DISTRICT OF COLUMBIA.

Appropriations for payment of judgments against the District of Columbia, being paid for half-and-half, all collections on account of judgments in favor of the District are deposited in the Treasury to the credit of the United States and the District of Columbia in equal parts. (Various deficiency appropriation acts.)

COLLECTIONS ACCOUNT DAMAGES TO DISTRICT PROPERTY.

The appropriations for the expenses of the government of the District of Columbia being paid for half-and-half, all collections account of damages to District property are paid into the Treasury of the United States, one-half to the credit of the United States and one-half to the credit of the District of Columbia.

REIMBURSEMENT OF THE UNITED STATES ACCOUNT MONEYS PAID OUT CHARGED HALF-AND-HALF FOR EXTENSION OF WATER MAINS TO CONGRESS HEIGHTS, ETC.

The water department is required to reimburse the United States its half of certain appropriations advanced for extension of water mains to Congress Heights, Benning, and the Conduit Road, appropriated during the fiscal years 1911 and 1912, said reimbursement being required by District of Columbia appropriation act approved June 26, 1912.

WASHINGTON MARKET CO. RENTAL.

Deposited as "amounts collected for leases of streets and reservations * * * into the Treasury to the credit of the United States and the District of Columbia in equal parts." (District of Columbia appropriation act approved July 18, 1888.)

REPAIRING PAVEMENTS OF STREET RAILWAYS WHEN NECESSARY.

"* * * the amounts thus expended shall be collected from such railroad companies * * * and shall be deposited to the credit of the appropriation for the fiscal year in which they are collected"; that is, deposited half and half. (District of Columbia appropriation act approved July 21, 1914.)

CONSTRUCTION AND REPAIR OF RAILWAY BRIDGES.

"* * * appropriation available for repairing, etc., * * * and the amount thus expended shall be collected from such railway * * * and shall be deposited in the Treasury to the credit of the United States and the District of Columbia in equal parts"; that is, half and half. (District of Columbia appropriation act approved July 21, 1914.)

STREET LIGHTING ALONG LINES OF STEAM RAILROADS.

"Street lighting along railroad lines other than street railroads, required to be paid for by companies, moneys received therefrom are credited to appropriations for lighting; that is, half and half." (District of Columbia appropriation acts approved May 26, 1908, and Mar. 4, 1913.)

BENNING ROAD VIADUCT AND BRIDGE.

"That the cost of constructing said viaduct and bridge, including approaches thereto, shall be borne and paid one-half by said companies in proportion to the widths of their respective rights of way * * * to the Treasurer of the United States, one half to the credit of the District of Columbia and the other half to the credit of the United States, * * * and any * * * change * * * in tracks of Washington Railway & Electric Co. * * * shall be made by and at the cost of said railway company, * * * and in event of refusing to do such work, same shall be done by the Commissioners of the District of Columbia * * * and collected * * * and paid into the Treasury, one-half to the credit of the United States and one-half to the credit of the District of Columbia." (District of Columbia appropriation approved July 21, 1914.)

PENNSYLVANIA AVENUE BRIDGE ACROSS ROCK CREEK.

"* * * Capitol Traction Co. shall, after the completion of said bridge, pay into the Treasury of the United States, one-half to the credit of the United States and one-half to the District of Columbia, a portion of the total cost of said bridge * * * equal to one-third thereof." (District of Columbia appropriation act approved Mar. 4, 1913.)

CEDAR STREET SUBWAY AND BRIDGE.

"* * * That no street railway shall use the subway herein authorized for its tracks until such company shall have paid to the Treasurer of the United States a sum equal to one-fourth of the total cost of said subway and bridge, one-half thereof to be credited to the United States and the other to be credited to the District of Columbia." (District of Columbia appropriation act approved May 18, 1910.)

MONROE STREET BRIDGE, BROOKLAND.

"That no street railway company shall use the bridge herein authorized for its tracks until such company shall have paid to the Treasurer of the United States a sum equal to one-sixth of the total cost of said bridge, one half thereof to be credited to the United States and the other half to the credit of the District of Columbia." (District of Columbia appropriation approved Mar. 2, 1907.)

Mr. President, all these citations go to show that we have on hand in the consideration of this amendment a subject of much greater importance than appears at first blush. We have been living under a system of taxation in this District for over 30 years. It has worked as a rule fairly well. It has been discovered that very likely the Government ought not to pay one-half the cost of administering the government of this great District. I do not share in that view, and yet I do not combat it; but what I want, Mr. President, is that this matter shall be gone into carefully, seriously, and with a view to ascertaining all the facts and all the equities of the case before we abrogate that system and enter upon a different plan.

It is well known that all appropriations which are chargeable to the revenues of the District of Columbia are not carried in the regular District bills. I call attention to a fact which had been overlooked when a Senator said that the District of Columbia paid nothing for the upkeep of the Zoological Park or the Potomac Park. The District of Columbia paid one-half the cost of acquiring these great parks, including Rock Creek Park. The District of Columbia pays one-half for the maintenance of those parks, but those appropriations are carried in the sundry civil appropriation bill as a rule and not in the District of Columbia appropriation bill.

Appropriations of this kind are contained each year in the sundry civil and legislative appropriation acts, in deficiency acts, public building acts, and special acts for parks, extension and widening of streets, and for other purposes. The amendment in question is apparently limited to appropriations contained in the regular District appropriation acts. Consequently, appropriations carried in other acts, unless brought within the provisions of this amendment, would probably continue to be paid under the half-and-half system. There is no doubt about that.

All appropriations chargeable to the revenues of the District of Columbia are not expended under the direction and control of the Commissioners of the District. A number of these appropriations are expended under the direction of the Attorney General of the United States, the Chief of Engineers of the United States Army, the militia authorities, and others. The District is not at any time furnished with information which shows for any given fiscal year the actual expenditures from and obligations outstanding under appropriations of the foregoing character. It would certainly be an anomalous situation should the proposed amendment be enacted to have such appropriations to continue to be so expended and the District authorities, therefore, without information to show what the actual expenses of the District yearly amount to. Information of this kind is essential to be considered in connection with local revenues and for the purpose of definitely ascertaining the amount that should be contributed in any given fiscal year to the District from the Federal revenues.

If the burden of maintaining and operating certain activities of government in the District of Columbia is to be borne in greater part by local revenues, then it should follow, in all fairness and justice, that the supervisory control of such activities be placed in the Commissioners of the District of Columbia and their subordinates. Reference is made to the filtration plant, the Washington Aqueduct, the Highway Bridge, public parks, and others. At the present time these activities of local government are under the complete and exclusive jurisdiction of officers of the Federal Government.

The provision in question says—

That all moneys appropriated for the expenses of the District of Columbia shall be paid out of the revenues of said District to the extent that they are available.

This is taken to mean revenues of the District represented by the actual cash collections during the fiscal year. As a matter of practical operation all appropriations made for the fiscal year are never wholly expended during that year nor are all revenues belonging to a fiscal year collected within the year. At the close of each fiscal year there remains unexpended on an average $2,000,000 of appropriations and uncollected revenue in the neighborhood of three-fourths of a million dollars. It is not clear how, under the proposed amendment, the amount which the United States is to contribute in a fiscal year to the District of Columbia can be definitely ascertained until all revenues of the District belonging to that year have been collected and appropriations authorized for that year expended. In the former case revenues may not be collected for 10 years or more, appropriations continue available for three years and some appropriations for a longer period. To state an account between the United States and the District of Columbia under

these circumstances at the close of a fiscal year would not present definite and accurate results.

It would not be practicable under the proposed amendment to determine until the close of the fiscal year how certain moneys covered into the Treasury from time to time during the year should be credited as between the revenues of the United States and the District of Columbia. Where such moneys are treated in the light of the pro rata participation by the United States in the expenses of local government for that year, the final disposition of these moneys would have to wait upon the determination of the General Government equities therein, which could not be ascertained until the finances of the whole year had been reviewed and the accounts stated.

If the amendment in question be adopted, then all appropriations chargeable in any way to the revenues of the District of Columbia should be included in the District appropriation bill, and all moneys in any way affecting the revenues of the District should be paid to the collector of taxes. Only in this way can all essential information be brought together whereby it would be possible for the District authorities to definitely and accurately determine the total charges payable by the District for each fiscal year, the revenues available for that year to be applied to the charges, and in this way ascertain the residue to be contributed by the General Government. At the present time and for years past appropriations of the District have been carried in any number of separate appropriations and special measures with the consequent decentralized control, and with the result that in no one place is the necessary data gathered together for analysis and report. Large sums of money representing revenue of the District of Columbia are paid directly into the Treasury and do not pass through the collector of taxes, and this fact causes confusion in reaching accurate conclusions as to the revenues of the District in a particular fiscal year. If the United States is to contribute toward local expenses only so much of the appropriations as the District revenues fall short of meeting, then it is imperative that the entire control over all appropriations in any way affecting the District and over all revenues in any way belonging to it should be centralized in the commissioners and their subordinates.

At the present time there are certain appropriations which are payable from the revenues of the District. Should the proposed amendment be adopted, the limitations placed upon said appropriations should be removed and the appropriations made in like manner as those provided for other expenses of the District.

Any action directed to the disturbance of the system of joint liability on the part of the General Government and the District government toward the maintenance of local administration should be taken in the light of and with an intelligent consideration of the effect that such action would have upon the large number of laws now standing upon the statutes dealing with the revenues and appropriations of the District, upon the procedure by which appropriations are expended and revenues collected, and upon the accounting and reporting systems of the District government and the Federal Government.

Mr. President, I have called attention to the difficulties that are in the way of deciding this matter offhand. It will involve us, I think, in inextricable confusion, and instead of reaching equity we will reach conclusions that will be unfair, unjust, and detrimental to the best interests of both the Government and the District of Columbia.

I want simply to add that I hold no brief for the District of Columbia. I have no interest that can possibly be affected by any legislation that is enacted. But I want, in fairness and in justice, in support of what I conceive to be well-considered and deliberate legislation, to plead that the existing condition may be allowed to continue for another year, and that in the meantime a joint committee, such as I have suggested in an amendment which I have sent to the desk, shall be appointed, and that it shall be given an appropriation sufficient to make a thorough, complete, comprehensive investigation of the entire subject; and when that report comes to Congress we will have a basis upon which to act in a legislative capacity. Without that, Mr. President, we are groping in the dark, and we are proposing to enact legislation that will not accomplish the purpose for which it is intended; it will create a great deal of confusion, so far as the statutes now on the books are concerned, and which ought in some manner be repealed or modified if the proposed amendments submitted by Senators not of the committee shall be agreed to.

My earnest plea is that the Senate shall follow its committee in this matter, and I make the plea in the full belief that the committee has acted wisely, and that to reject the recommendations of the committee will result in much more harm than some Senators can possibly conceive of.

Mr. RANSDELL. Mr. President, I wish to take a few moments to discuss a matter that is of vital concern to the District of Columbia and the entire United States—the pending treaty between this country and the Colombian Republic.

Never since the Latin-American Republics severed the political ties that bound them to their mother countries has there been such an opportunity for the American people to enlarge their trade relations with that part of the New World. The dreadful war now raging in Europe has not only diminished the demand for Latin-American products, but it has also cut off from Latin America the abundant supply of European capital through which the trade in question was largely controlled. At such a moment of exceptional opportunity, while the entire Nation is deeply interested, it is natural that those States which border on the Gulf of Mexico, possessed as they are of the great ports of Galveston, New Orleans, Mobile, Pensacola, and Savannah, should be especially eager to acquire as much as possible of that splendid Latin-American trade which Europe is now losing.

There is one serious barrier that stands across the path of this great opportunity, which the Senate may remove by prompt and just action. I refer to the grievance of a Central American Republic against the United States which all Latin America considers its own. It is not the cause of one; it is the cause of all; and until that grievance is removed by the act of justice to which we are now committed by treaty with Colombia there can be no cordial peace with the Latin-American world.

Mr. SMITH of Maryland. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Maryland?

Mr. RANSDELL. I yield to the Senator.

Mr. SMITH of Maryland. I will ask the Senator from Louisiana if he is discussing the pending bill?

Mr. RANSDELL. Not especially. I am exercising the prerogative which belongs to every Senator to discuss a matter which relates to the whole American people and is of the greatest interest to this District and to every citizen of America.

Mr. SMITH of Maryland. That may be true; but the question before the Senate now is the District of Columbia appropriation bill, and it seems to me it is out of order to interrupt it by some foreign matter, something that does not pertain to the bill. I dislike very much to interfere with anything the Senator may have to say, because I have the utmost regard for him, but it does seem to me that it is inappropriate at this time to bring any matter of this kind before the Senate when we are discussing the appropriation bill.

Mr. RANSDELL. I think I have a right to make this discussion at this time, and hope the Senator will not try to cut me off. The matter I am discussing does relate to the District of Columbia, as it concerns all the people of America, and I think all of them ought to hear what I have to say.

Mr. President, I find in publications appearing in this country during the present month two presentations that embody exactly the ideas I desire to express on this subject. I shall read first from a very thoughtful and conservative article in the current number of the Atlantic Monthly, the exponent of the best thought of New England, in which the writer, under the title "A new era of good feeling," says:

> As ranking second on the list of those important constructive acts of the Wilson administration which certainly will affect Latin-American sentiment toward this country favorably, should come the signing of the treaty with Colombia at Bogota, on April 6. The administration has given every evidence of a resolve to push this treaty to confirmation by the Senate. It already has been approved by the Colombian senate. The treaty was referred to by the President in transmitting it to the Senate as one "between the United States and the Republic of Colombia for the settlement of their differences arising out of the political events which took place on the Isthmus of Panama in November, 1903."
>
> I shall not attempt here to defend the treaty from the political criticisms which have been directed against it by Members of Congress or to disprove Col. Theodore Roosevelt's declaration that it is "blackmail." It will suffice to say that the establishment of the administration's determination to have the treaty made effective between the two countries will do much to smooth out an important obstacle in the way of a constructive Latin-American policy.
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> Whatever Mr. Roosevelt's views respecting the part played under his responsibility by the United States in the "political events on the Isthmus of Panama in November, 1903," which resulted in the acquirement of the Canal Zone by this Government, there is no considerable division of opinion on this subject in Latin America. The people of Latin America generally accept the view that the revolutionary movement which established the Republic of Panama was deliberately fostered by American interests with the approval of the Roosevelt administration.

Mr. JONES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Washington?

Mr. RANSDELL. I yield to the Senator.

Mr. JONES. Mr. President, I do not want to interrupt the Senator from Louisiana especially, and I have no objection to his proceeding with this discussion; but I wish to know whether or not it is understood that the Colombian treaty will be discussed in open session.

Mr. RANSDELL. I am not prepared to answer that question. I am simply trying to present my views on this very important subject to the American people and to quote the opinions expressed in very thoughtful and conservative publications.

Mr. JONES. I simply wish to say that I am very glad to see it done.

Mr. RANSDELL. I hope the matter will be discussed in open Senate.

Mr. JONES. I hope so, too, and I am glad to see that nobody is making any objection to its discussion now in the open Senate.

Mr. RANSDELL. Mr. President, permit me to emphasize the paramount importance of the thought just expressed when I was interrupted by the Senator from Washington. It matters very little what our people think on this subject, or what side of the controversy we, as individuals, may espouse; we are so big and rich and powerful that we can not afford to rest under the *least suspicion* of wrongdoing. The crucial point is, What do the vast majority of our Latin-American brethren think? And, as they agree with Colombia rather than with Mr. Roosevelt, would it not be the height of wisdom to make them our real friends when it can be done honorably and at such small cost?

Resuming the quotation from the Atlantic Monthly, the writer says:

Gen. Reyes, from whose book I have quoted friendly comment upon the attitude of his blood kin toward the United States, was in command of the military expedition which the Colombian Government dispatched to reestablish order in the Isthmus at the outbreak of the Panamanian revolution. In his narrative of the happenings under which he says that Colombia was deprived of her sovereignty, Gen. Reyes declares that the success of the revolution was made possible solely by the act of the American cruisers under Admiral Coghlan in preventing the Colombian forces from landing. He points to the recognition of the new Republic two days after it had declared its independence of Colombia, and to the agreement 14 days thereafter upon a treaty guaranteeing the rights of the new Republic and providing for the construction of the canal.

In conclusion, he says:

The claims of Colombia in this matter do not merely embody monetary compensation for the material losses involved in the dismemberment of her territory. They include as a paramount consideration a recognition of the moral wrong inflicted upon her, and, by reflection, upon all the other Latin-American countries, by an attack upon her territorial integrity, solemnly guaranteed at an earlier period by binding treaty obligations of the United States.

With this view permeating the Latin-American mind, the wisdom of eradicating it through the treaty signed at Bogota can not seriously be questioned from the standpoint of the constructive purposes which the President of the United States has in mind. The treaty negotiated at Bogota meets all the requirements of Latin-American thought so far as it is practicable to do so. It furnishes financial reparation in the form of $20,000,000—by mistake for $25,000,000—in gold, and of special privileges in the use of the canal and the Panama Railway; and in article 1 it makes this important concession:

"The Government of the United States of America, wishing to put at rest all controversies and differences with the Republic of Colombia arising out of the events from which the present situation on the Isthmus of Panama resulted, expresses, on its own part, and in the name of the people of the United States, sincere regret that anything should have occurred to interrupt or to mar the relations of cordial friendship that had so long subsisted between the two nations."

This sentiment is thus reciprocated by Colombia:

"The Government of the Republic of Colombia, in its own name and in the name of the Colombian people, accepts this declaration in the full assurance that every obstacle to the restoration of complete harmony between the two countries will thus disappear."

Turning my eyes from Boston to New York, I find in the long established and influential paper entitled "Las Novedades," published there in Spanish, a general review of the year 1915. At the head of that review appears an article as to our controversy with Colombia, of which the following is a translation:

[Las Novedades.]

NEW YORK, *Thursday, January 7, 1915.*

It is quite possible that 1915 may be known in history as "the black mournful year," during which the hideous European war reached its most awe-striking proportions. And if there were not a splendid compensation it might also be named the nefarious year of return to barbarism.

But 1915 will see the official inauguration of the Panama Canal, the gigantic work of progress, of peace, of union between all the nations, and the splendid event will insure to this year the most brilliant place in the annals of posterity.

In passing gloriously through the canal the vessels of the whole world will be preceded by the Stars and Stripes, surrounded by the banners of all the nations.

All the nations?

Let us hope so. Then for the glory and honor of Washington's country there will also be present the one nation whose presence is necessary to uplift material greatness by the moral grandeur of justice.

Nothing could prevent the Latin-American Republics from being oppressed with profound sorrow if they should miss in the inauguration of the canal, Colombia's flag; if they should hear in such a place, at such a moment, the complaint of a weak sister offended in her most tender interests.

It would be lamentable, indeed, if to-morrow the historian of the great inauguration were to record that the nation that once was sovereign of the soil and territory of the Isthmus pleaded in vain during long, anguishing years for the fair redress due her in full justice.

But, on the contrary, what a comforting and noble example of moral grandeur of this American people it would be if they can head the historical pageant with the flags of the United States, Colombia, and Panama together in one embrace, thus symbolizing the cordial union between the powerful builder of the canal, the once proprietor nation of the soil, and the young nation heiress to the efforts of the former and to the sovereign title of the latter.

In order that this high and inspiring example may be possible and fruitful the Senate of the United States should, and let us hope will, approve the treaty signed by the American minister at Bogota on April 6, 1914.

And truly, now more than ever, must the United States feel the need of relying upon the moral support of all America. Its international problems reach the proportions of world-wide problems; and in order that its voice may have the universal authority that the great powers seem inclined to grant this Nation it is necessary that none—not even the smallest—of the peoples of America may have ground to charge the United States with having violated solemn treaties at these times when the American Union is invited by all the belligerent powers to act as judge in the tribunal of universal public opinion and afterwards as a friendly arbitrator in questions involving outrages to international law and the inviolability of treaties.

If not for such reasons, there is still another of an immediate interest that ought to prevail powerfully upon this Nation to settle once for all the vexatious question with Colombia. The State Department has just invited the secretaries of the treasuries of Latin-American nations to a conference at Washington to advise on economic matters tending to the unification of Pan-American interests, and this Nation could not ask those gentlemen to have faith in the obligations contracted by this country by means of its authorities if it does not settle beforehand and satisfactorily the pending claims of Colombia.

What American, whose heart is in the right place, can stand unmoved when he listens to these two noble yet entirely dispassionate appeals for justice to a weak nation. The closing paragraph of the article from Las Novedades may well have been inspired by President Wilson's high-thoughted speech delivered before the Southern Commercial Congress at Mobile, October 27, 1913, when he said:

I want to take this occasion to say that the United States will never again seek one additional foot of territory by conquest. She will devote herself to showing that she knows how to make honorable, fruitful use of the territory she has, and she must regard it as one of the duties of friendship to see that from no quarter are material duties made superior to human liberty and national opportunity. I say this not with a single thought that anyone will gainsay it, but merely to fix in our consciousness what our real relationship with the rest of America is. It is the relationship of a family of mankind, devoted to the development of true constitutional liberty. We know that that is the soil out of which the best enterprise springs. We know that this is the cause which we have in common with our neighbors, because we have had to make it for ourselves.

Let these just and patriotic sentiments of our President be our guide not only for the future but in making just compensation for territorial acquisitions in the past.

We should not forget that a few days before the close of President Taft's administration, as one of his very last official acts, he sent to Congress a message indorsing a communication from the then Secretary of State, Mr. Knox, which concludes as follows:

The very latest telegram from Mr. Du Bois shows that in a subsequent interview he took it upon himself informally to ask whether if the United States should, without requesting options or privileges of any kind, offer Colombia $25,000,000, its good offices with Panama, the arbitration of the question of reversionary rights in the Panama Railway, and preferential rights of the canal, the Government would accept; to which he was answered in the negative.

As everybody knows, Colombia then declined that suggestion, because her claim for damages against this country exceeded $50,000,000. In order that that claim might be settled amicably she appealed earnestly to this Government for arbitration, either before The Hague tribunal or before any special arbitral court that might be agreed upon. Was she entitled to demand arbitration? Let those who have doubts on that subject read the words of one held by this Senate for many years in the highest possible respect and esteem.

At the moment when Colombia presented her demand for arbitration to this administration, about May, 1913, the chairman of the Senate Committee on Foreign Relations was the late lamented Senator Augustus O. Bacon, of Georgia, who on January 29, 1904, had made a famous speech in the Senate, in which he advocated the making "of a treaty with the Republic of Colombia, submitting to the permanent court of arbitration at The Hague, or to some other tribunal to be agreed upon, for impartial arbitrament and peaceful determination, all questions between the United States and the Republic of Colombia growing out of the matters herein recited." After an exhaustive review of every question of fact and law involved in the taking of Panama, Senator Bacon made this declaration:

I am content with anything which shall commit the Government of the United States in the face of the world to the proposition that, whatever there may be of difference between the United States and Colombia, the United States, as a great overshadowing power which

can not be compelled by this feeble power to do anything, will voluntarily endeavor to agree with it in the settlement of existing differences; and that if it can not come to an agreement by peaceful negotiations it will not assert its great and resistless power, but that it will endeavor to have a determination of such differences and the claims growing out thereof by some impartial tribunal.

In the light of such antecedents the present administration determined to strive to "come to an agreement by peaceful negotiations" rather than concede Colombia's demand for arbitration. The result of those "peaceful negotiations" has been embodied in a treaty in which Colombia has, after considerable hesitation, agreed to compromise her claim for less than one-half of what she considered her just due.

As the time is almost at hand for the formal opening of the canal to the commerce of the nations, should there not be an end made at once of the prolonged and painful negotiations through which we have acquired the title to the territory over which it passes? Should we run the risk of being reproached by mankind in general, and by the Latin-American peoples in particular, for appropriating part of the territory of a sister Republic that can not defend herself?

Should we, by further delay in this matter, put a barrier across the paths of commercial communities now striving to win for the United States that part of the trade of Latin America which Europe is losing? Certainly in this grave matter every business man in the country should feel a profound interest.

But over and above all such commercial considerations stands the question of simple justice which involves our national honor. Let us not forget that as the peace keeper of the New World the Monroe doctrine imposes upon us certain grave moral responsibilities of a very delicate character. When we say to the nations of Europe, there is in existence in this hemisphere a peculiar system for the protection of the territory of our weaker neighbors, which foreign powers can not be permitted to violate, we should remember that every restraint we impose upon others for their protection is doubly binding on ourselves.

The world is aghast at the awful spectacle of the war in Europe, and we are destined to play a great part in helping to solve its problems and secure relief for its victims. Let us keep our own escutcheon clean, without blot or stain or even the shadow thereof, and continue to perform our mission of big brother to mankind without fear or favor and with no apprehension of reproach for any of our national acts.

Mr. President, the United States is the true friend of the weak and oppressed of all nations. We plunged our country into war in order to rescue suffering Cuba, and without counting our great cost in life and treasure made it a free Republic. Our rule in the Philippines has been the gentlest and best ever accorded a subject people, and when our little brown brothers shall have demonstrated their fitness for independence we will give it to them and will not exact compensation for the many millions expended on them, and will ask nothing for the hundreds of American lives sacrificed in their behalf.

Colombia is weak, and believes with her whole heart and soul that we have grievously wronged her. We refused her insistent requests for arbitration, and the President then negotiated the pending treaty. Can we afford to reject it, even if the justice of Colombia's claims be denied? Can we pursue a course that will injure our country very seriously in a business way; that will make an enemy of Colombia, and possibly other States south of us, and that will leave a stain upon our reputation in the opinion of nearly every Latin American? Unquestionably we can not. Every principle of generosity, sound business, and wise statesmanship demands that this treaty be ratified at once.

Mr. LIPPITT obtained the floor.

Mr. LODGE. Mr. President, will the Senator allow me to make a very brief statement?

Mr. LIPPITT. I yield to the Senator from Massachusetts.

Mr. LODGE. I desire to say, Mr. President, that I shall not attempt to say anything in regard to the Colombia treaty, because that treaty is not before the Senate either in executive or in open session, and also because I think the subject is one which should be discussed in executive session, as it is executive business.

Mr. LIPPITT. Mr. President, there has been an amendment offered to the District of Columbia appropriation bill, which is not now immediately before the Senate, but upon which I wish to say a very few words at this time, because, unfortunately, I will not be able to be here to-morrow when that particular amendment, perhaps, will come up for consideration. The amendment to which I refer is the one offered by the Senator from Kentucky [Mr. JAMES], which provides that intangible personal property shall be taxed by the District at the same rate as other property.

Under the present law in regard to property subject to taxation, all real estate and tangible personal property is taxed at the rate of 1½ per cent. That law was the result of a consideration which was given to this subject by Congress in the year 1902. Previous to that time, as I understand, there had been in the District what is known amongst students of taxation as a general property tax; that is, a uniform rate of taxation upon all property, real and personal, whether tangible or intangible. As a result of the consideration given the subject at that time, intangible personal property was eliminated from taxation.

From the earliest times a general property tax was almost the uniform system of taxation. The first method of taxation was to put a uniform rate upon all classes of property. That plan was followed for centuries, until in modern times, when the intricacies of business and commercial relations have made the injustice which resulted from it very prominent.

Mr. President, I am not going into a general discussion of the subject, partly because I am not qualified for it and partly because to-day I have not the time. I have had some personal experience in the difficulties of taxation, because for a few years I served on a board of tax assessors, in which capacity these subjects were very conspicuously brought to my attention. At that time—it was some 20 years ago—I conceived the idea that taxes on personal property were very unjust and that they work with great hardship upon the people least qualified to bear them—that is, people of small and moderate means, and particularly upon householders who are obliged to mortgage their property.

I simply want now to call the attention of the Senate to the views which are entertained by some people who have studied this subject from the theoretical and scientific standpoints and of some who have studied it from the practical standpoint as members of commissions of some of the States. I have here a recent volume, published in the year 1913, entitled "Essays in Taxation," by Edwin R. A. Seligman, McVickar professor of political economy, Columbia University. His first chapter, of some 62 pages, is devoted to a discussion of the advisability and the justice of a general property tax, meaning by that a common rate of taxation upon all forms of property. His summary of that tax and of its operation is as follows:

> Practically, the general property tax as actually administered is beyond all doubt one of the worst taxes known in the civilized world. Because of its attempt to tax intangible as well as tangible things, it sins against the cardinal rules of uniformity, of equality, and of universality of taxation. It puts a premium on dishonesty and debauches the public conscience; it reduces deception to a system and makes a science of knavery.

I particularly invite attention to this reason:

> It presses hardest on those least able to pay; it imposes double taxation on one man and grants entire immunity to the next. In short, the general propery tax is so flagrantly inequitable that its retention can be explained only through ignorance or inertia. It is the cause of such crying injustice that its alteration or abolition must become the battle cry of every statesman and reformer.

I do not know how stronger language could be written in regard to the injustice of that tax than this by a theorist of the character of Prof. Seligman.

I now wish to call the attention of the Senate to what has been said by the assessors of the State of New York, who gave consideration to this very same subject. They also are speaking of the general property tax, such as is sought by this amendment to be reestablished in the District after it was abolished some 10 or 12 years ago after careful consideration by this body. I will read first the language of Prof. Seligman in introducing the criticisms contained in the first annual report of the State assessors of New York in 1860, at page 12:

> If we sum up all these inherent defects, it will be no exaggeration to say that the general property tax in the United States is a dismal failure. * * * The following extracts from the New York reports are given as samples:
>
> "A more unequal, unjust, and partial system for taxation could not well be devised."
>
> "The defects of our system are too glaring and operate too oppressively to be longer tolerated."
>
> "The burdens are so heavy and the inequalities so gross as almost to paralyze and dishearten the people."
>
> "The absolute inefficiency of the old rickety statutes passed in a bygone generation [is patent to all]."
>
> * * * * * * *
>
> "The system is a farce, sham, humbug."
>
> "The present result is a travesty upon our taxing system, which aims to be equal and just."

In their report for 1879 the assessors of the State of New York say:

> It is a reproach to the State, an outrage upon the people, a disgrace to the civilization of the nineteenth century.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Iowa?

Mr. LIPPITT. I yield, Mr. President.

Mr. CUMMINS. I rise simply to ask whether the very emphatic language which the Senator from Rhode Island has quoted is used with regard to tangible property as well as intangible property?

Mr. LIPPITT. No.

Mr. CUMMINS. I think the Senator will find that it is. That is to say, it is asserted that the old system of levying taxes upon property under a valuation such as we adopt is obsolete and ought to be abolished. I may be wrong, but I think the language is used somewhat in connection with the entire system.

Mr. LIPPITT. If the Senator will allow me to call his attention to the first quotation which I made, Prof. Seligman says:

Because of its attempt to tax intangible as well as tangible things—

It does so and so, as I have quoted. That is, he uses this language of criticism because it applies to intangible personal property as well as to tangible personal property.

As an illustration of what had happened in the State of New York, there are some figures given which are not unimpressive. A list is given of the amount of the taxable real estate and of the taxable personal property in New York for a series of years, from 1843 to 1911. It shows the rapid growth in the value of real estate as compared with the very moderate growth in personal property. I shall not undertake to quote all the figures; but in 1843 the value of the real estate in the city of New York was $476,999,000 and that of the personal property was $118,602,000. In the year 1911 the real estate in the city of New York had grown to $9,639,000,000, whereas the personal property had reached a value of only $482,000,000. In the city of Brooklyn, in 1893, whereas the real estate was assessed at $486,000,000 the personal property was valued at only $19,000,000. In other words, the personal property in that city at that time paid only 3 per cent of the entire tax on property.

No one with the slightest knowledge of the situation of those cities will suppose for a minute that the value of the personal property owned by their citizens bore any such relation to the real estate as these figures indicate. The fact of the case is that it has been impossible to assess the personal-property tax, and the result has been that in those cases where it is least desirable to assess it the possibilities of assessing it are the greatest. I mean by that that the estates of which women and children are the beneficiaries that pass through the courts become known to the last dollar and bear the full brunt of the taxation; whereas the estates of the people in active business are almost impossible to discover, and they entirely escape the tax.

My attention was called only to-day to an instance of a person of moderate means who had bonds of $6,000 paying 4 per cent interest. In the community where that person resided they were taxed 2 per cent, which was equivalent to a 50 per cent tax on the return on those bonds, which constituted a very large part of the entire property of that person.

In addition to the opinions which I have quoted, I wish to quote the language of the tax commission of the State of Rhode Island. One reason why I am discussing this proposition for the District is because three or four years ago this whole subject of taxation came up in the State. A very able commission were appointed for its consideration. They spent some three years, I think, perhaps more, in its consideration. They made several reports upon the subject, and as a result of it an entire and very radical change was made in the system of taxation in that State. They also considered the subject of the general property tax, which was the one that was in force at that time, and was the one that had been in force in the State, I presume, from the beginning; certainly for a very large number of years.

Prof. Seligman, from whose book I quote an extract from the report of the Rhode Island Commission, says:

The year 1910 opened with a report from another New England State. The Rhode Island committee, like its predecessors, found conditions most unsatisfactory.

I will state that I read from page 659 of the book entitled "Essays on Taxation," from which I have already been quoting. This follows a number of extracts from reports of different State commissions, criticizing in most cases the general property tax which it is now proposed to inaugurate again in the District of Columbia after it has been once abandoned. So that Prof. Seligman says:

The Rhode Island committee, like its predecessors—

That is, he refers to the previous reports quoted from in this chapter—

found conditions most unsatisfactory.

This is what the commission says:

The general property tax has proved ineffectual in producing revenue; unjust, because it places the burden upon the weak and unwary and the conscientious, while it allows the shrewd and powerful to escape; inadvisable, because it brings the law into disrepute and debases the morals of the community.

As a result of the study which was made by that commission and of some three years' consideration of the matter by the legislature and the people of the State, where it was the subject of very general thought and discussion, the recommendation of the committee, slightly altered, was adopted. The recommendation of the committee was that instead of the full rate of the general tax—which, in the city of Providence, I think at that time was about 1¾ per cent, and in other large centers of population in the State about the same amount—the tax on intangibles should be reduced to three-tenths of 1 per cent. As a result of consideration that rate was changed to four-tenths of 1 per cent, and a law was passed by the legislature of the State establishing the uniform rate of four-tenths of 1 per cent on various forms of corporate intangible property and on all other kinds of intangible property which were not specifically described in the act.

The result of that change, although it has been in operation but a short time, I think has been generally very satisfactory. I think it is to-day very generally approved by the people of the State. I have not the exact figures of the amount of tax that has been raised in consequence of it, but my impression is that there has been no diminution at all in the amount of the tax as a result of the increase upon the property which readily came to the front by reason of this low and generally regarded equitable rate, which brought to light a much greater amount of property than it was possible to discover under the old system. In other words, the tax under the new system, the justice of which is so generally recognized, applies to an amount of property so much larger than that previously available for taxation that the revenues of the State have not been in any way injuriously affected.

Mr. President, I am quoting these figures and these opinions for this purpose: It seems to me that without a careful consideration of the modern tendency of taxation, without giving due regard to the result of the studies of such people as Prof. Seligman and such authorities as the commissions of the State of New York, the State of Rhode Island, and a number of other States which report similarly along the same lines, this law, which was established for the District of Columbia 12 years ago by this body after, it is proper to assume, careful consideration, ought not to be hastily changed back to an old system that has been discredited by the studies of almost everybody who has considered it, and which has so many elements of manifest injustice and unfairness that the very slightest consideration of them brings them to the surface.

The Senator from New Hampshire [Mr. GALLINGER] has proposed a method of dealing with this subject that appeals to me very strongly. He proposes that the present system shall be left intact and that a commission or joint committee of the two Houses shall be appointed to study the matter and report to Congress at an early time. I think that is a fair and proper method of making a study of this subject and of accomplishing results in a scientific way.

Mr. NELSON obtained the floor.

Mr. GALLINGER. Mr. President, will the Senator yield to me for one moment?

Mr. NELSON. Certainly.

Mr. GALLINGER. In connection with what the Senator from Rhode Island [Mr. LIPPITT] has suggested, I desire to withdraw the amendment I offered and submit the one I send to the desk, it being more comprehensive than the other one, which was hastily drafted. I will ask the Senator to allow it to be read.

The VICE PRESIDENT. The Secretary will read the amendment.

The SECRETARY. On page 91, after line 4, it is proposed to insert the following as a separate section:

SEC. —. That a joint select committee shall be appointed, consisting of three Senators, to be appointed by the Presiding Officer of the Senate, and three Members of the House, to be appointed by the Speaker of the House of Representatives, whose duty it shall be to prepare and submit to Congress a statement of the proper proportion of the expenses of the government of the District of Columbia, or any branch thereof, including interest on the funded debt, which shall be borne by said District and the United States, respectively, together with the reasons upon which their conclusions may be based; and that said committee be further authorized and directed to investigate the tax laws applicable to the District of Columbia, together with all questions relating to the classes and kinds of property taxable thereunder, as well as all questions relating to the basis and rates of taxation of such property, with a view to any necessary change in or revision of said laws; and that said committee shall make report of its findings

and recommendations to Congress at the beginning of the next regular session. In the discharge of the duty hereby imposed said committee is authorized to employ such assistance as it may deem advisable, at an expense not to exceed the sum of $5,000; and said sum, or so much thereof as may be necessary, is hereby appropriated for that purpose.

Mr. GALLINGER. I thank the Senator.

Mr. SMITH of Maryland. Mr. President, will the Senator yield to me for just one minute?

Mr. NELSON. Certainly.

Mr. SMITH of Maryland. This amendment has been pending for several days. It does seem to me that an hour ought to be set for the conclusion of the debate upon it, and I should like to ask unanimous consent to fix an hour to-morrow when we shall vote upon the amendment. I suggest, therefore, that after the Senator from Minnesota has finished the bill go over as the unfinished business, and that the hour of 2.30 to-morrow be set to vote upon this amendment.

Mr. CLARK of Wyoming. That requires a roll call.

Mr. SHAFROTH. Mr. President, before that is done——

Mr. GALLINGER. The request would necessitate a roll call under the rules, Mr. President.

Mr. GORE. Mr. President, it is my purpose to offer a substitute for the amendment offered by the Senator from New Hampshire. I therefore send it to the desk in order that it may be read into the RECORD at this time.

The VICE PRESIDENT. Does the Senator from Oklahoma desire to have it read?

Mr. GORE. Yes, sir.

The VICE PRESIDENT. The Secretary will read the amendment.

The SECRETARY. In lieu of the amendment proposed by the senior Senator from New Hampshire it is proposed to insert the following as additional sections:

SEC. —. That there is hereby created a commission which shall consist of nine members, three of whom shall be Members of the Senate and appointed by the President thereof, three of whom shall be Members of the House of Representatives and appointed by the Speaker thereof, and three of whom shall be appointed by the President of the United States. The latter three shall be authorities upon the subjects of taxation and public utilities, and at least one of them shall be a resident of the District of Columbia. It shall be the duty of such commission—

(a) After thorough investigation to report to the Congress, on or before the first Monday in December, 1915, a system of scientific and equitable taxation for the District of Columbia, based upon principles of reciprocal justice as between the people of the District and the General Government.

(b) After an original investigation, or after conference with the public utilities commission of the District, the Interstate Commerce Commission, and other authorities, to report to the Congress, on or before the first Monday in December, 1915, as to the original cost of the public utilities in the District of Columbia, the cost of reproduction thereof, and their present value and capitalization; and also as to the cost and advisability of the public ownership of such utilities.

SEC. —. That the commission created by the preceding section shall have the power to sit during the sessions or recesses of Congress, to subpœna witnesses and compel their attendance, to administer oaths, to compel the production of books and papers, to employ all needful assistants and to fix their compensation, to keep a record of its proceedings, and to do all other acts and things necessary to the full discharge of the duties prescribed and imposed upon them by the preceding section.

SEC. —. That the members of said commission appointed by the President of the United States shall receive compensation at the rate of $7,500 per year; and the payment of such salaries and all other expenses shall be made upon the presentation of itemized vouchers approved by the chairman of the commission; and the sum of $30,000, to be paid out of any money in the Treasury not otherwise appropriated, is hereby appropriated to defray the expenses of said commission.

Mr. NELSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Maryland prefer a request?

Mr. SMITH of Maryland. I suggest the absence of a quorum, sir.

Mr. SHAFROTH. I should like to offer my amendment before that is done, Mr. President.

Mr. NELSON. I suggest to the Senator from Maryland that he postpone that suggestion for a short time. I simply want to make a few remarks, which will not take over 15 or 20 minutes.

Mr. SMITH of Maryland. I withdraw it, sir.

Mr. SHAFROTH. Mr. President, I will inquire whether any amendment has been offered to the committee amendment on page 2?

SEVERAL SENATORS. Yes.

Mr. SHAFROTH. I understood that the amendment of the Senator from New Hampshire applied to that, and for that reason I did not introduce my amendment.

Mr. GALLINGER. I will say to the Senator that it could not well be offered to that amendment, and so I made a separate section of my proposition.

Mr. SHAFROTH. Very well. If there is no amendment pending to the amendment of the committee, I should like to have read the amendment which I will send to the desk.

Mr. ROOT. Mr. President, a parliamentary inquiry. I understood that the Senator from Kentucky [Mr. JAMES] offered an amendment. Am I wrong?

Mr. SHAFROTH. I do not think he offered it.

Mr. JAMES. No; I offered a new section to the bill.

Mr. ROOT. Then this is an amendment to the committee amendment?

Mr. SHAFROTH. Yes. This is an amendment which leaves the half-and-half principle in existence until June 30, 1916, and then makes a change in the proportions. It is designed to follow the committee amendment.

The VICE PRESIDENT. The Secretary will read the amendment.

The SECRETARY. Following the committee amendment, on page 2, line 11, it is proposed to insert:

That from and after the 30th day of June, 1916, 60 per cent of all moneys appropriated for the expenses of the government of the District of Columbia shall be paid out of the revenues of said District and 40 per cent out of the revenues of the United States.

Mr. NELSON. Mr. President, it is not my purpose to enter into any extended discussion of some of the questions arising in connection with this bill. I only pause in the first instance to say that I am greatly surprised at the fact that in many quarters it seems to be assumed that we who are disposed to criticize the existing system of taxation in this District and are disposed to criticize the system of apportionment are the enemies of the District of Columbia and hostile to its prosperity and progress. I think that insinuation or contention, which seems to percolate through the public press and in the atmosphere all around us, is entirely unwarranted.

At the time the present system of government was established the finances of the District of Columbia were in a deplorable condition. Financially the District had been wrecked as it were by those who were in control of the local government at that time. There was then a justification, in order to build up the city from its condition at that time and to help put it on its feet and on the road to prosperity, for making a division such as was made; in other words, for adopting the half-and-half principle.

A long time, however, has elapsed since then. The city of Washington has grown immensely. The Federal Government has helped it in various ways in securing large and extensive parks—Rock Creek Park, the Zoo, Potomac Park, and other parks. In addition to that we have helped a great many of the citizens of this city to unload on the Government a lot of dead property in localities that were not very progressive; and we have been buying acres of ground and demolishing the buildings, much to the benefit of the real-estate owners in this city.

I have often thought, Mr. President, I would like to see a statement of the amount of money that we have expended in this District in relieving property owners of what I might call partially dead or not very progressive property and having Uncle Sam assume the burden. I would like to see also a statement of the many instances where we have been buying property at exorbitant rates. We have shown a good deal of poor management. We bought three or four squares down on the Avenue, property that I conceive was not very salable; we bought it at a very high figure, and there it stands unused.

I remember some years ago we had a good, large building situated near Lafayette Square, between the square and Riggs Bank, that was used by the Department of Justice. All at once the building was torn down on the ground that it was not fit to be occupied. Then buildings were rented for the Department of Justice away down beyond another park, and there that piece of land has remained ever since, the property of the Government, unutilized, a sort of a park with a theater on one side and a bank on the other side.

The Senator from New Hampshire [Mr. GALLINGER] can remember that, a great many years ago—and I call his attention to the fact—they sought to unload upon the Government the old Globe Building down here on the Avenue, and an old rookery of a building over on G Street. I believe the building on G Street is now used by the Government in connection with the Government Printing Office. They actually got an item into the sundry civil appropriation bill to buy those old dilapidated buildings and unload them on the Government.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from New Hampshire?

Mr. NELSON. Certainly.

Mr. GALLINGER. The Senator and I collaborated in defeating that proposition.

Mr. NELSON. I am very glad to say that the Senator from New Hampshire and myself in that instance were able to save the Government; and those buildings are still at large, wait-

ing, like Micawber, for something to turn up to relieve the owners.

Mr. GALLINGER. It is proper, however, that it should be said that the District of Columbia had no interest in that movement. That was entirely outside of the District government.

Mr. NELSON. I believe one of the buildings was used a part of the time for medical stores. I do not know whether it is used now for that purpose; and the building over on G Street, I believe, is used in connection with the Government Printing Office in some way.

Mr. GALLINGER. If the Senator will permit me, it is very interesting historical information he is giving us, and I will state that a very distinguished Senator, coming down the stairs of the building on Pennsylvania Avenue to which the Senator has alluded, an old-fashioned brick building that probably would have stood for a thousand years, discovered a crack in the wall, and he immediately went to the authorities and told them there was great danger of the building falling down; and they agreed with him and condemned it, and it was pulled down.

Mr. ROOT. The Department of Justice Building?

Mr. GALLINGER. Yes.

Mr. NELSON. Now, there is another thing that has always seemed to me strange. We have a lot of high, elevated ground in this city, especially in Judiciary Square, and our well-to-do people, our aristocratic people, somehow or other always gravitate to the northwest. Some years ago when they concluded to have a Post Office Department building, they built it in a swamp in the lowest part of the city below the Avenue, where the outlet of the Tiber used to be in old times; and it was said they did that to placate a couple of newspapers, who wanted it near their offices. There it stands, like a feudal castle, with an architecture that reminds one of the Middle Ages, in the midst of a swamp; and all that is needed to make it a perfect picture of a feudal castle of the Middle Ages is to dig a mote around it.

Mr. ROOT. May I suggest to the Senator from Minnesota that the Senator from Mississippi [Mr. WILLIAMS] characterized that building at the last session very appropriately as a cross between a German town hall and a brewery.

Mr. NELSON. I can see the force of that comparison, and it is more exact than my description.

Then farther down the Avenue the Capital Traction Street Car Co. had a power house. They had a lot where there was a dismantled power house that lay there as an eyesore for years and years. But finally they applied to the Government, and the Government took it from them at a great figure and put the Municipal Building there. It has always seemed a mistake to me that instead of putting that building in a swamp near the purlieus of the Tiber they did not put it on Judiciary Square where the other city buildings are.

I call attention to these things, Mr. President, in this mild, homeopathic way for the purpose of showing to the Senate that we have a little reason to be suspicious of some of the patriots of the city of Washington who have been working the Government all these years in the manner I have indicated. There is much more that could be said on this matter, acquiring property for Rock Creek Park and other extensions, but I will not go into that.

I desire now to call the attention of the Senate to the system of assessments in this country. I am not talking now about assessing credits; I am talking about the law of 1902, which prescribes not only the minimum rate at which the property is to be assessed, but actually prescribes in mandatory terms the rate of taxes that shall be levied. In all other localities I have always supposed that no matter by what system, after you had the assessment, the question of the rate is determined by the total amount of your needs to carry on the government, that you apportion that revenue to the assessment made and thus you get the true rate. That is the only system I know of that can properly be followed.

In this city, under the law of 1902, whether the District needs $5,000,000 or $10,000,000 or any greater amount, no matter what it is, the rate of taxation is 1½ per cent upon the valuation. Senators ought to see that that system does not work well. As a legacy of that system the very controversy we are in now in the very first paragraph of the bill arises. I may not give the figures exactly, but Senators will understand my meaning. It is claimed here that it takes between eleven and twelve million dollars for the wants of the District of Columbia, that the District ought to pay one half of it and the Federal Government the other half. It is estimated that the half to be paid by the District would be about four and a half million dollars, or approximately $5,000,000, and that under the same half-and-half plan the other half would be paid by the Government. But here you have a case where under this system of assessment you find yourself with a surplus of two or two and a half million dollars levied upon the District in excess of what they claim is their half share. If you adopt the amendment of the committee, there is no provision I can discover in the bill as to what is to become of the two million or two and a half million dollars in excess of the half-and-half principle. In other words, that amount—two million or two and a half million—you leave in the air; you make no provision for it. If you do not want the Government to take that two and a half million, you leave it in the air, and some provision ought to be made for the disposal of that money. This city, I understand, has a funded debt.

Mr. SMITH of Maryland. I understand that $1,800,000 is the amount of surplus that could be appropriated to the funded debt or it could be held over for another session and be applied either to the funded debt or be devoted to such improvements as might be required, as may be thought best.

Mr. NELSON. The Senator is undoubtedly correct as to the amount. I do not claim to be exact as to it. It may be $1,800,000, as the Senator suggests.

Mr. SMITH of Maryland. It is about that.

Mr. NELSON. But whether it is $1,800,000 or $2,000,000 or $2,500,000, the principle is the same. Why should you leave that in the air? In another part of the bill you have an appropriation of something over $900,000 to apply on the funded debt of the District. If you do want this excess of taxes that are collected beyond the half the District is to pay, or that we claim it ought to pay, why leave it in the air? Why not apply it to the funded debt of the District? I suggest to Senators would not that be a proper and businesslike way instead of leaving it in the air to be questioned and discussed and debated hereafter?

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from New Hampshire?

Mr. NELSON. Certainly.

Mr. GALLINGER. The committee gave some consideration to that matter, and the committee has no objection to that disposition. Of course, in that event we ought to appropriate a similar amount from the General Government, because the funded debt is a joint debt against the General Government and the District of Columbia, amounting, I think, to three or four million dollars.

Mr. NELSON. I want to ask the Senator this question: Assuming that it ought to be divided, assuming further that the District ought not to pay more than half the expenses, and assuming that you have this surplus, which you all admit, without regard to the figures, why leave that surplus in the air? Why not devote it, half and half, to the payment of the funded debt of the District and thus stop interest instead of leaving it as you do?

Mr. GALLINGER. If we carried out the Senator's idea, to which we do not object, the entire amount would be devoted to reducing the funded debt, but an equal amount would have to be appropriated from the Treasury unless you specified that it was in behalf of the District of Columbia and that hereafter the District would not owe one-half of the funded debt. It would be better, I think, to make an appropriation from both the District government and the General Government for that purpose.

Mr. NORRIS. Will the Senator from Minnesota yield there?

Mr. NELSON. Certainly.

Mr. NORRIS. I think it would be well to get the information now. Is it true that the District owes this debt to the Government of the United States or is it owed by private parties?

Mr. GALLINGER. It is the 3.65 per cent bonds, I believe, that were issued a good many years ago.

Mr. NORRIS. I understood that the Government had paid some of those and that the District owes the Government for them.

Mr. GALLINGER. I do not know how that may be. I think the District paid its share and the Government has paid its share up to the present time. A contest was made as to whether the Government really was held for one-half the amount, and a recent decision of the comptroller decides that it is an obligation equally upon both the Government and the District.

Mr. NELSON. I got my information through the public press; not through any examination of the record. I only know that a year or so ago there was a controversy in respect to the interest on the funded debt between the District and the Federal Government, but I can not at this moment recall the nature of that controversy, because I did not investigate it. So much for that, Mr. President.

Now, in respect to another matter, I think all fair and candid men will concede that the system of taxation in this District is hardly as fair and just as it ought to be. I do not mean by

that to say that the assessment of such property as is assessable—real estate and tangible property and the license taxes contained in the law—are unreasonable or unjust, but what I maintain is that there is a lot of intangible property in this District that escapes taxation entirely—that has immunity. I am aware the argument is used that this is a kind of tax that is hard to collect; that the owners will escape it. That is exactly the same argument the liquor dealers throw up against us when we attempt to have prohibitory legislation. "Oh," they say, "you can not stop drinking; it will go on. It is all folly to attempt to check the drinking of liquor." In other words, they say if you do not accept our gospel we will continue to violate the law and furnish the public with drinks.

I concede that we can not lay down any hard-and-fast rule. I think in the State of Minnesota we do not assess personal property or credits or money at its full value. As to what the rate of taxation ought to be on credits—intangible property—that is another question that could be determined in the future; but what I maintain is that that kind of property ought to bear at least a part of the burden and of taxation, and that question should be thoroughly investigated.

Therefore, Mr. President, to sum up—and I want to be as brief as possible—in two respects the taxing system of the District of Columbia is defective, first, in the law prescribing, as I have indicated, without any regard whether the District needs it or not, an arbitrary rate upon the assessment; second, in omitting from all taxation of any kind intangible personal property.

Mr. President, I will go a step further, and say that I think it was a fair proposition at the time the District government was reorganized, after it had been wrecked, as it were, in view of the circumstances that prevailed in the city then and the condition of the people, with a great debt on their hands and a great many improvements to be made. I think at that time probably the half-and-half principle was a just one. But Washington has grown now to be a large, prosperous, and wealthy city, with fine parks, fine streets, everything in as good a condition as it can possibly be. People who come here admire the city and say it is one of the most beautiful cities in the whole country. Indeed, many of them say it is more beautiful than any city in the Old World.

I want to be exactly fair. It seems to me if we can amend the assessment laws of this District so as to make a just and fair assessment, a fair and proper apportionment for the future would be about one-third, and let the District pay two-thirds of all expenses of the District of Columbia and the Federal Government pay the other third. That would be something like the committee report to which the Senator from Kentucky [Mr. JAMES] called attention. I sincerely trust steps will be taken by the Senator and those who are immediately in charge of District affairs to see to it that the evils to which I have called attention are corrected.

While I am on the floor, there is another matter that is near and dear to my heart, and I want to call the attention of Senators to it. It concerns the welfare of this city. We have a great water power up at Great Falls. That water power is practically lying dormant. It furnishes a little water for the canal, and I believe the water that supplies the city is taken out of the Potomac River above the dam. Beyond that, that power is there perfectly idle. Look at the thousands of dollars that are spent here in the District of Columbia for power purposes, heat, and light, and it all comes out of the Treasury of the Government or out of the pockets of the people of the District. Look at the enormous quantity of coal that is consumed here in lighting and heating the public buildings of the Government. Look at the enormous quantity that is consumed here in lighting and heating the public buildings of the District. Look at the enormous quantity that is used in moving the street cars in the city and for other purposes. It seems to me steps ought to be taken to improve that power and utilize it for the benefit of the District of Columbia and for the benefit of the Federal Government. If that power were developed and utilized as it ought to be, it would save thousands of dollars a year to the Federal Government and to the government of the District of Columbia. I trust that Senators who are immediately in charge of the affairs of the District of Columbia will give that matter their careful consideration and attention. I regard it as a measure of the highest importance. It is a measure involving great economy both to the Government and to the District. I trust that due attention will be given to the matter.

Mr. NORRIS and Mr. ROOT addressed the Chair.

Mr. NELSON. I yield to the Senator from Nebraska.

Mr. NORRIS. In connection with the very subject which the Senator from Minnesota has discussed, I should like to say that a few years ago Congress appropriated $20,000 for the purpose of having a careful survey made of the power possibilities at Great Falls and as a means of increasing the water supply of the city of Washington. In accordance with that appropriation the War Department made a careful survey and a minute report, carrying it out in detail, as to what it would cost; in other words, they used up all the $20,000 in the investigation. A bill has been introduced to develop that water power in accordance with the plans and specifications of those engineers of the War Department.

Mr. NELSON. Before what committee is that bill pending?

Mr. NORRIS. The bill has been referred to the District Committee, and by that committee referred to a subcommittee; it is there now with the approval of the War Department under two different administrations.

Mr. ROOT. I was about to call attention to the very circumstance which the Senator from Nebraska has mentioned. If this had been a self-governing city, I have no doubt there would have been action upon the report, because the people of the city would have had something to say about it.

Mr. NORRIS. Mr. President, if the Senator from Minnesota will yield further, in connection with that proposition I wish to say that there is not any doubt but that there is great opposition, as there always is, to the development of power of this kind; and it is manifest here. Some of the great power companies and corporations of this city, of course, are opposed to the development of that power, as I take it.

Mr. TOWNSEND. What power companies are opposed to it?

Mr. NORRIS. Well, the street car companies, the electric light companies, and gas companies—all those companies.

Mr. TOWNSEND. Why should they be opposed to it?

Mr. NORRIS. Because it comes in direct competition with their product as it is produced and sold right now.

Mr. TOWNSEND. That is to say, of producing power more cheaply, as I understand it?

Mr. NORRIS. Yes.

Mr. TOWNSEND. If street car companies could obtain the power more cheaply, why should they oppose the development of power there?

Mr. NORRIS. The street car companies are satisfied now with conditions, I presume, and the method by which they develop power. They produce their power from steam, I presume.

Mr. TOWNSEND. From coal.

Mr. NORRIS. Yes; from coal. They have some money invested in plants which produce it, and some of that would probably be lost. I presume if electricity were sold here at the rate of 3 cents per kilowatt hour, instead of 10 cents, there would be many people who would use electricity who are at present using gas. So it would come in competition with the gas company.

This particular proposition was investigated by the Army engineers and the hydroelectric engineers who were employed for the purpose. I understand from Col. Langfitt, who was in charge on the part of the Government, that he employed the man he considered to be the best hydroelectrical engineer in the United States, an engineer from New York City, whose name I can not now recall, who worked with him in the preparation of the plans and specifications. Those plans and specifications provided for the development of power, for the building of a dam, for conducting electricity to the city of Washington and its distribution, and, I think, for three distributing substations. It stopped there. There was no provision made in that law that was passed, or in the appropriation which was made, for the running of a street car company or the sale of light. The appropriation was made simply to develop the power and bring it to the city. As to what should be done with it then was, of course, an unsettled question, and the bill that has been introduced does not provide for its ultimate sale.

Mr. CLARK of Wyoming. The Senator did not make the assertion, but he rather inclined to the notion that the different power companies of the city were opposing this proposition to develop the power at Great Falls. I thought the question of the Senator from Michigan [Mr. TOWNSEND] was quite apropos; and I will ask the Senator from Nebraska if he knows whether, as a matter of fact public-service corporations here, who are perhaps the largest users of electric power, have opposed the proposition of developing water power at Great Falls?

Mr. NORRIS. Well, in my judgment, they have opposed it and are opposed to it.

Mr. CLARK of Wyoming. It is not a question of judgment; it is a question of fact.

Mr. NORRIS. The Senator from Wyoming must understand, and I think other Senators will understand, that a great corporation which has a monopoly—for instance, a gas company—in selling light and heat, if something is going to be made to come into competition with it or its field, would not come out

and say, "We are opposed to this." They would not come to me or to other Senators or to the Senate committee as a body and say, "We are opposed to this." But there would be other methods by which they would try to defeat the legislation, if they could. So in this investigation—and I have been quite active in it—quite a great many people came to me and said, "This is not a plausible proposition. It will not work." Upon inquiry I found that they got their ideas from some engineer. They came to my office—I will not say that they were not acting in good faith and that they were not honest—and offered various objections to the plans of the Government engineers. They said it was not a practicable proposition to develop this power, and that they were able to demonstrate it. I know in one particular case I talked it over with an engineer, and I found he had got his information from his employment by one of these companies in the city of Washington. He was employed by them to investigate the very proposition and to go over the reports that the Army engineers had made. He made his examination of those reports, and claimed to have found great errors in them. He claimed to have discovered that these power developments were practical impossibilities.

Mr. CLARK of Wyoming. Mr. President, it occurred to me while the Senator from Nebraska was speaking and while the Senator from Michigan was making his interrogatory that if I were the owner of a street car system in the city of Washington and could obtain power from the Great Falls cheaper than I could myself manufacture it I should favor such development.

Mr. NORRIS. Probably so; but if the Senator owned a street car system and he had invested $25,000 or $100,000 in a plant here, as these companies have done—I do not know but what they have invested more than that; I have forgotten now the figures—if he was developing his power with coal, if he had a monopoly of the business and was making a good thing out of it, he would, perhaps from financial considerations, be opposed to throwing it aside as junk, even though he could get the power cheaper.

Mr. CLARK of Wyoming. That is entirely contrary to all of the history of the country for the last 25 years. We have known of power plants being continually wrecked and thrown into the scrap heap because power can be produced elsewhere and otherwise cheaper than they can produce it by the plants they have.

Mr. NORRIS. And we have also known power possibilities owned by corporations who had no other interest in them except to prevent their development. We do know that such developments are opposed by corporations, and I presume they oppose them because they think it is to their financial interest to do so.

Mr. CLARK of Wyoming. That is the question I asked the Senator. He made a statement that power companies here were opposing this legislation, and I asked if he had any basis for that statement other than the general surmise that power companies are opposed to such development.

Mr. NORRIS. I am satisfied they are; and they resort to the same methods to oppose legislation that they always do in cases of that kind.

Mr. WORKS. Mr. President, I should like to ask the Senator from Nebraska if he knows who compose the subcommittee to which he says this bill has been referred?

Mr. NORRIS. I will say, in answer to the Senator's question, that I do not want to reflect any criticism on the committee. This bill was referred to that subcommittee during the last Congress, when committees were overworked, and during the hot weather. I talked with members of the committee, and they said they were going to give the matter consideration; but they were unable, I presume, on account of other business—as everyone who was here during the long hot session knows—to give attention to a great many details.

My own idea is, that while it would probably be an impossibility to get the bill reported out of the subcommittee during this short session, when the next long session commences the subcommittee would take the matter up. I do not wish to cast any reflection on them, because I know from conversation with some of the members of the subcommittee that they are anxious to go into the subject.

Mr. WORKS. There must be some mistake about the District Committee being an overworked committee. There has not been a meeting of that committee during the present session of Congress, and during all the last session of Congress it was practically inactive and did practically no business.

Mr. NORRIS. The members of the District Committee are, however, members of other committees that have been overworked. I am satisfied that that is true not only of the members of the District Committee but of every Member of the Senate during the last session. They did not feel like going into the matter then.

Mr. NELSON. Mr. President, it was not my purpose when I arose to take up so much time, but interruptions occur, and we are not always masters of our own time.

I simply desire to say in conclusion that while I have called the attention of the Senate to this matter, I have not done so in a spirit of criticism. I am aware of the fact that we are here, each of us trying to do his very best for the public service. Some of us have a greater amount of work on our shoulders than have others, and we find it difficult to move as rapidly as others would like to have us move. I have simply called attention to these matters in order to direct the attention of Senators to the importance of the subject and to suggest that it be taken up at some future time and disposed of in a businesslike way, for the welfare of the Government of the United States and likewise for the welfare of the District of Columbia.

Mr. SMITH of Maryland. I present a request for unanimous consent, which I ask may be agreed to.

The VICE PRESIDENT. The Secretary will read the proposed unanimous-consent agreement.

The Secretary read as follows:

It is agreed by unanimous consent that on to-morrow, Tuesday, January 12, 1915, at not later than 2 o'clock p. m., the Senate will proceed to vote, without further debate, upon any amendment that may then be pending or that may be offered to the reported amendment of the committee on pages 1 and 2 of the bill H. R. 19422, the District of Columbia appropriation bill, and immediately thereafter on the said amendment of the committee, as amended or otherwise.

The VICE PRESIDENT. Is there objection to the proposed unanimous-consent agreement suggested by the Senator from Maryland?

Mr. BURTON. Mr. President, I should like to ask what is included? I understand it relates to the so-called half-and-half plan.

Mr. SMITH of Maryland. Yes, sir.

Mr. BURTON. That does not include the amendment proposing to tax intangible property.

Mr. SMITH of Maryland. Oh, no.

Mr. BURTON. That is entirely outside?

Mr. SMITH of Maryland. The proposed agreement relates to nothing but this one amendment.

Mr. BURTON. I would suggest to the Senator——

Mr. NELSON. As I understand, it relates only to the first amendment.

The VICE PRESIDENT. To the first amendment or any amendment proposed thereto. Is there objection to the request for unanimous consent?

Mr. BURTON. I suggest to the Senator from Maryland that the conference report on the immigration bill was presented to-day, and it was asked that it be printed and go over until to-morrow. Does the proposed agreement contemplate that all the time up to 2 o'clock will be given to discussion of the pending bill, or is it contemplated that the vote shall be taken without debate?

Mr. SMITH of Maryland. I did not catch the suggestion of the Senator.

Mr. GALLINGER. It is provided that debate shall cease at 2 o'clock on the amendment.

Mr. BURTON. It is said that there shall be no debate on the amendment after 2 o'clock.

Mr. SMITH of Maryland. After 2 o'clock debate shall cease.

Mr. BURTON. Is it expected that there will be any time given to debate before 2 o'clock?

Mr. SMITH of Maryland. There are one or two Senators, I think, who desire to speak briefly.

Mr. BRISTOW. Mr. President, I shall have to object to the proposed unanimous-consent agreement in its present form, because a dozen amendments may be offered to this proposition, and there will be no chance for even an explanation of any of them. If the Senator will change the phraseology of the proposed agreement so as to give an opportunity for debate limited, say, to five minutes, on amendments that may be offered, or allowing a Senator to speak not longer than five minutes on any amendment that may be offered, I think that would be satisfactory.

Mr. SMITH of Maryland. What hour would the Senator suggest?

Mr. BRISTOW. I am not particular about an hour if the usual provision which has been attached to such agreements is attached to this one.

Mr. SMITH of Maryland. I have no objection to that being done.

Mr. BRISTOW. I suggest that the proposed agreement contain the usual provision. So far as I am concerned, I am not interested in any particular hour, and I would have no objection to limiting debate under the 5-minute rule or the 10-minute rule

or whatever rule may be agreed upon; but I do not want amendments to be presented the meaning of which we can not understand and have to vote blindly on them. That is my objection.

Mr. SMITH of Maryland. Very well, I will accept the suggestion of the Senator.

Mr. JAMES. Mr. President, I should like to ask the Senator a question. That will not, as I understand it, shut out any amendment that may be offered to the amendment proposed by the Senate committee even if it is adopted as an amendment striking out the House provision?

Mr. SMITH of Maryland. I do not so understand. The Senator, I think, would have the right to offer any amendment he sees fit to the amendment reported by the Senate committee.

Mr. Clark of Wyoming. If the committee amendment should be adopted, then amendments could not be offered to it as in Committee of the Whole.

Mr. SMITH of Maryland. Not as in Committee of the Whole.

Mr. JAMES. Suppose a vote is taken and the amendment offered by the committee is adopted, striking out the House provision and substituting the half-and-half plan; then suppose I wanted to offer an amendment providing that the Government should pay one-third and the District two-thirds, would that be in order?

Mr. SMITH of Georgia. Would it not be necessary to offer that as an amendment to this provision?

Mr. JAMES. It certainly would not be in order after the action is taken upon the part of the Senate upon the pending amendment.

Mr. SMITH of Maryland. As I understand, the Senator can offer any amendment to this amendment that he desires.

Mr. JAMES. To which amendment?

Mr. SMITH of Maryland. To the amendment reported by the committee.

The VICE PRESIDENT. There is no doubt about the right to offer an amendment to the pending amendment.

Mr. GALLINGER. Provided it is not in the third degree.

Mr. JAMES. I have an amendment I wish to offer.

The VICE PRESIDENT. Does the Chair understand that the Senator from Kansas objects?

Mr. BRISTOW. I will ask the Secretary to read the proposed agreement as modified in accordance with the suggestions which have been made.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

It is agreed, by unanimous consent, that on to-morrow, Tuesday, January 12, 1915, at not later than 2 o'clock p. m., the Senate will proceed to vote upon any amendment that may be then pending or that may be offered to the reported amendment of the committee on pages 1 and 2 of the bill H. R. 19422, the District of Columbia appropriation bill, and immediately thereafter on the said amendment of the committee, as amended or otherwise: *Provided*, That after the hour of 2 o'clock p. m. no Senator shall speak more than once nor longer than five minutes upon any single amendment.

Mr. BRISTOW. That is all right.

The VICE PRESIDENT. Now, is there any objection?

Mr. OLIVER. A parliamentary inquiry. Is it not necessary to call the roll?

The VICE PRESIDENT. The language of the rule is that it is necessary to call the roll only when the proposed unanimous-consent agreement provides for a final vote on the passage of a bill or resolution. Is there objection to the unanimous consent requested by the Senator from Maryland? The Chair hears none, and the agreement is entered into.

Mr. SHEPPARD. I send to the desk a notice of a motion to suspend the rules, which I ask to have read.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

In accordance with Rule XL of the standing rules of the Senate, I hereby give written notice that it is my intention to move to suspend paragraph 3 of Rule XVI for the purpose of moving the following amendment to the bill (H. R. 19422) making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes:

"SEC. —. That from and after the 1st day of November, A. D. 1916, it shall be unlawful to manufacture, barter, sell, or give away any spirituous, vinous, malt, or other alcoholic liquors of any kind within the District of Columbia, excepting, however, pure grain alcohol to be used for mechanical, pharmaceutical, medicinal, and scientific purposes, or wine for sacramental purposes by religious bodies, which alcohol and wine may be sold by registered druggists or pharmacists only.

"SEC. —. That any person who shall manufacture, barter, sell, or give away any such intoxicating liquors or otherwise violate the provisions of this section shall be guilty of a misdemeanor and be fined not less than $100 nor more than $5,000, or be imprisoned for not less than 1 or more than 12 months, or be both fined and imprisoned for each offense, and for a second or subsequent offense such person shall be fined and imprisoned; and each act of manufacturing, bartering, selling, or giving away such liquors shall, for the purpose of this section, constitute a separate offense.

"SEC. —. That the words 'give away' where they occur in this act shall not apply to the giving away of intoxicating liquors by any person in his private dwelling, unless such private dwelling is a place of public resort.

"SEC. —. That all laws and parts of laws relating to the subject of intoxicating liquors in the District of Columbia not inconsistent herewith are hereby declared to be in full force and effect."

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 46 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 12, 1915, at 12 o'clock meridian.

NOMINATION.

Executive nomination received by the Senate January 11, 1915.

DEPUTY ASSISTANT TREASURER.

Frank J. F. Thiel, of New York, to be Deputy Assistant Treasurer of the United States, in place of George Fort, promoted to Assistant Treasurer of the United States.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 11, 1915.

CONSUL.

Frank C. Denison to be consul at Prescott, Ontario, Canada.

POSTMASTERS.

ALABAMA.

Leslie Booker, Phoenix.
Barney M. Roberts, Clanton.

COLORADO.

Joseph W. Burkhard, Florence.

HAWAII.

Henry K. Plemer, Waialua.

ILLINOIS.

Ralph A. Pate, Glencoe.

PENNSYLVANIA.

Daniel E. Hanrahan, Hallstead.

UTAH.

David Bennion, Vernal.

WASHINGTON.

George D. Shannon, Anacortes.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 11, 1915.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in heaven, impress us, we beseech Thee, with the great responsibility Thou hast laid upon us in the gift of life that we may work out our salvation with fear and trembling and thus further the plans Thou hast ordained. But we are reassured, encouraged, and made stronger when we realize the responsibility Thou has taken upon Thyself as the author and finisher of our faith, and in the forces Thou art using to develop and ennoble our being as instruments in Thy hands for the carrying out of the work which Thou hast begun in us under the divine leadership of the world's great Exemplar. Amen.

The Journal of the proceedings of Saturday, January 9, 1915, was read and approved.

RESIGNATION OF A MEMBER.

The SPEAKER laid before the House the following resignation of a Member:

JANUARY 9, 1915.

Hon. CHAMP CLARK,
Speaker House of Representatives.

MY DEAR MR. SPEAKER: I beg leave to inform you that I have this day transmitted to the governor of Ohio my resignation as a Representative in the Congress of the United States from the fifth district of Ohio.

TIMOTHY T. ANSBERRY.

CHANGE OF REFERENCE.

Mr. ANTHONY. Mr. Speaker, on December 29 Senate bill 6011 came over to the House and was referred to the Committee on Naval Affairs. It is a bill for the reinstatement in the Revenue-Cutter Service, and the House Committee on Interstate and Foreign Commerce has jurisdiction over such matters, and I would ask that the bill be withdrawn from the Committee on

Naval Affairs, to which it was wrongfully referred, and, if it is in order, that it lie on the Speaker's table.

The SPEAKER. The gentleman from Kansas asks unanimous consent to withdraw from the consideration of the Committee on Naval Affairs the bill the number of which he has given, and the same lie on the Speaker's table. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, this is a very unusual proceeding.

The SPEAKER. The Chair knows it is. It is the first time the Chair has ever heard of it.

Mr. MANN. And it seems to me the gentleman ought to ask that it be referred to the proper committee.

Mr. STAFFORD. Will my colleague yield? There being a similar bill already reported and on the House Calendar, and it having been reported and on the House Calendar prior to the Senate bill having been brought to the House, why should not the gentleman from Kansas have the same right he would have had at the time to have it taken from the Speaker's table?

Mr. MANN. I do not think the bill is on the House Calendar. If it is, it does not belong there. It is a private bill.

Mr. ANTHONY. I will say a similar bill has been reported from the House committee.

Mr. MANN. And it is on the Private Calendar.

Mr. ANTHONY. It is.

Mr. MANN. And it ought to be referred.

The SPEAKER. Is there objection?

Mr. MANN. I hope the gentleman will make his request to refer it to the proper committee.

Mr. ANTHONY. Of course if the gentleman from Illinois feels——

Mr. MANN. I do not think we ought to commence the practice of bringing a bill back and placing it on the Speaker's table——

Mr. ANTHONY. It would expedite the bill; it is a most meritorious bill.

Mr. MANN. It will not expedite it at all.

Mr. ANTHONY. Then I will ask the bill be referred to the proper committee.

Mr. EDWARDS. Mr. Speaker, reserving the right to object, a few of us have not quite understood what is going on.

Mr. ANTHONY. Mr. Speaker, I would like to modify the request and ask that the bill be referred to the proper committee, which is the Committee on Interstate and Foreign Commerce.

The SPEAKER. The gentleman from Kansas asks a re-reference of the bill from the Committee on Naval Affairs to the Committee on Interstate and Foreign Commerce. Is there objection? [After a pause.] The Chair hears none.

HOUR OF MEETING TO-MORROW.

Mr. UNDERWOOD. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Alabama rise?

Mr. UNDERWOOD. Mr. Speaker, I desire to ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from Alabama asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection? [After a pause.] The Chair hears none.

ORDER OF BUSINESS.

Mr. UNDERWOOD. Mr. Speaker, I notice in the RECORD the gentleman from Florida [Mr. SPARKMAN], having in charge the river and harbor appropriation bill, gave notice Saturday that he desired to call it up to-day. There are not very many District days left, and, although I am very anxious to see the appropriation bills expedited, I hope the gentleman will not make that motion this morning, as I think there are some bills on the District Calendar that ought to be disposed of. Later in the session, of course, everything else will have to give way to appropriation bills; but this may be the last chance that the District Committee has to get its bills up, and I hope the gentleman will not insist on his motion to-day.

Mr. SPARKMAN. Mr. Speaker——

Mr. DONOVAN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Connecticut rise?

Mr. DONOVAN. To make a unanimous-consent request, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. DONOVAN. I ask unanimous consent that the 20 minutes allotted to me in general debate on the river and harbor bill be allowed me when we consider the bill in the Committee of the Whole House on the state of the Union under the five-minute rule.

Mr. SPARKMAN. I shall object to that, Mr. Speaker.

The SPEAKER. The gentleman from Florida objects.

Mr. MANN. Oh, no; let him have it.

Mr. SPARKMAN. Mr. Speaker, in view of the statement made by the gentleman from Alabama and out of deference to his views on the subject I will not make the motion this morning.

DISTRICT OF COLUMBIA BUSINESS.

The SPEAKER. The gentleman from Kentucky [Mr. JOHNSON].

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering District legislation.

The SPEAKER. The gentleman from Kentucky moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering District legislation.

Mr. JOHNSON of Kentucky. Mr. Speaker, pending that, I wish to invite attention to House bill 13388, a bill for the relief of James T. Petty; Charles W. Church and others, executors of Charles B. Church, deceased; Jesse B. Wilson; and George T. Dearing. It is on the Private Calendar, and I feel quite sure it ought to be on the Union Calendar, as it carries an appropriation, or at least authorizes an appropriation. It is my opinion that it ought to be on the Union Calendar.

Mr. MANN. It is a private bill?

Mr. JOHNSON of Kentucky. It is a private bill, but it authorizes an appropriation.

Mr. MANN. Nearly all private bills do.

Mr. JOHNSON of Kentucky. Very well, Mr. Speaker, I just wished to invite attention to it for the purpose of ascertaining whether or not it is upon the Private Calendar. If it is on the Private Calendar, well and good.

The SPEAKER. The gentleman from Kentucky [Mr. JOHNSON] moves that the House go into Committee of the Whole House on the state of the Union for the consideration of District bills. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The gentleman from South Carolina [Mr. FINLEY] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of District of Columbia bills, with Mr. FINLEY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the purpose of considering bills on the calendar for the District of Columbia.

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Is this the Committee of the Whole or the Committee of the Whole House on the state of the Union?

The CHAIRMAN. The Chair understood it was the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of Kentucky. No; it is the Committee of the Whole.

The CHAIRMAN. The Chair got the idea that some appropriation was carried in the bill.

Mr. MANN. Is it in Committee of the Whole or Committee of the Whole House on the state of the Union?

Mr. JOHNSON of Kentucky. The first bill I wish to call up is on the Union Calendar.

Mr. MANN. That is in Committee of the Whole House on the state of the Union.

The CHAIRMAN. Yes; that is in Committee of the Whole House on the state of the Union; Calendar No. 348, on the Union Calendar.

SETTLEMENT OF SHORTAGES IN CERTAIN ACCOUNTS.

Mr. JOHNSON of Kentucky. Mr. Chairman, I call up the bill (H. R. 15215) to authorize the Commissioners of the District of Columbia to adjust and settle the shortages in certain accounts of said District, and for other purposes.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia are authorized and directed to adjust and settle the shortages in certain accounts of said District arising through the defalcation of J. M. A. Watson, formerly an employee of the government of said District, by paying into the Treasury of the United States the sum of $63,939.96, to be credited as follows: Miscellaneous receipts, United States, $10,623.75; miscellaneous trust-fund deposits, District of Columbia, $51,556.22; and permit fund, District of Columbia, $1,759.99. There is hereby appropriated to carry into effect the provisions of this act the sum of $63,939.96, to be paid wholly from the revenues of the District of Columbia.

Mr. JOHNSON of Kentucky. Mr. Chairman, in 1902, I believe it was, one of the employees of the District of Columbia, a man by the name of Watson, misappropriated about $70,000 of money belonging to a special fund. That deficit has since been carried as a deficit. This bill is for the purpose of having the proper book credits made, in order that this deficit may no longer be carried as such, but in order that it may be cleared up.

The report, No. 1212, which was filed some months ago by me, is, I think, quite clear and explicit, and I have no doubt that all those who are following this legislation are familiar with it, and I trust the reading of it will not be necessary.

Mr. MADDEN. What became of the man? Was he punished?

Mr. JOHNSON of Kentucky. The man was sent to the penitentiary. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

Mr. MANN. Why should all this be charged to the District of Columbia? Why should the entire amount of the defalcation be charged to the District of Columbia?

Mr. JOHNSON of Kentucky. For the very good reason that the Commissioners of the District of Columbia, at the time of this defalcation, had collected money and had it placed within reach of this defaulter which they had no right to collect. They exceeded their authority in having this money paid into the District treasury at all.

Mr. MANN. Then it was the negligence or fault of the Commissioners of the District of Columbia?

Mr. JOHNSON of Kentucky. It was; to the extent indicated.

Mr. MANN. They are appointed by the President under an act of Congress?

Mr. JOHNSON of Kentucky. Yes.

Mr. MANN. Why should the entire cost of their negligence be charged to the people of the District, who have nothing whatever to do with their selection?

Mr. JOHNSON of Kentucky. Under the law they have to be selected from residents in the District of Columbia.

Mr. MANN. Yes; I know; under the law. But that law is not followed, apparently. But, even then, the District of Columbia——

Mr. JOHNSON of Kentucky. The present board of commissioners thinks, and I think the other board which preceded it thought, that this ought to be paid out of the District funds.

Mr. MANN. I have read the report, but I confess I could not see any reason why, for negligence on the part of the officials of the United States, the entire cost of that negligence should be charged to the people of the District of Columbia.

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from Kentucky [Mr. JOHNSON] that the bill be laid aside with favorable recommendation.

The motion was agreed to.

Mr. JOHNSON of Kentucky. Mr. Chairman, the other bills which I have are on the House Calendar. Therefore I move that the committee rise and report to the House the bill which we have acted upon, with a recommendation that it pass.

The CHAIRMAN. The gentleman from Kentucky moves that the committee rise and report the bill to the House with the recommendation that it pass. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FINLEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15215) to authorize the Commissioners of the District of Columbia to adjust and settle the shortages in certain accounts of said District, and for other purposes, and had directed him to report the same back to the House with the recommendation that it pass.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. JOHNSON of Kentucky, a motion to reconsider the vote whereby the bill was passed was laid on the table.

CEMETERY OF THE WHITE'S TABERNACLE.

Mr. JOHNSON of Kentucky. Now, Mr. Speaker, I desire to call up the bill (H. R. 13226) prohibiting the interment of the body of any person in the cemetery known as the Cemetery of the White's Tabernacle No. 39 of the Ancient United Order of Sons and Daughters, Brethren and Sisters of Moses, in the District of Columbia.

The SPEAKER. What is the calendar number?

Mr. JOHNSON of Kentucky. No. 226.

Mr. MANN. House Calendar?

Mr. JOHNSON of Kentucky. Yes; House Calendar, No. 226.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That from and after the date of the passage of this act it shall be unlawful to inter the body of any person in the cemetery known as the Cenemetry of White's Tabernacle No. 39 of the Ancient United Order of Sons and Daughters, Brethren and Sisters of Moses, in the District of Columbia, and situate in the District of Columbia, to wit: Part of a tract called "Chappell's Vacancy," contained within the following metes and bounds, namely: Beginning for the same at the southeast corner of the land conveyed to Frederick Bangerter by deed recorded in Liber No. 785, folio 474, of the land records of the District of Columbia, and running thence north 15¾ degrees east, 20.44 perches; thence south 89 degrees east, 3.9 perches; thence south 15¾ degrees west, 20.44 perches; thence north 89 degrees west, 3.9 perches to the point of beginning; and any person or persons violating the provisions of this act, or aiding or abetting its violation, shall be subject to a fine of not less than $100 nor more than $500 for each offense, to be collected as other fines are collected in the District of Columbia.

SEC. 2. That the board of officers of White's Tabernacle No. 39 of the Ancient United Order of Sons and Daughters, Brethren and Sisters of Moses, in the District of Columbia be, and they are hereby, authorized and empowered, under such regulations as the Commissioners of the District of Columbia may prescribe, to disinter and remove all the bodies now buried in said cemetery lot, and to transfer and reinter the same in some other suitable cemetery or cemeteries selected by the said board of officers of White's Tabernacle No. 39 of the Ancient United Order of Sons and Daughters, Brethren and Sisters of Moses, in the District of Columbia, and at the cost and expense of said order: *Provided*, That each monument, tombstone, or marker marking any grave or graves in said described burial ground shall be transferred to mark the grave or graves in which such body or bodies are to be interred, and shall be there placed in position as soon as can be done without danger of settling.

SEC. 3. That in so far as the same shall be inconsistent with the provisions of this act as to the cemetery lot herein described, sections 675 and 680 of the Code of Laws of the District of Columbia shall be, and the same are hereby, declared inoperative, otherwise said sections 675 and 680 to remain unqualified and in full force and effect.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. MANN. Mr. Speaker, will the gentleman from Kentucky yield for a question?

Mr. JOHNSON of Kentucky. I do.

Mr. MANN. As I understand, one of the purposes of this bill is to permit the disinterment of bodies buried in a cemetery here belonging to an order and reburying them in the cemetery which they have acquired?

Mr. JOHNSON of Kentucky. My information is that this is an unused cemetery that the Thomas J. Fisher Real Estate Co. has bought, and they have paid part of the money, and the remainder of the money is held in escrow until the passage of this bill. The money paid has been used in buying a cemetery that is called for in the agreement.

Mr. MANN. But what I want to call the attention of the gentleman to is that under the terms of the bill, without amendment, they could not inter the bodies in the cemetery in Maryland.

Mr. JOHNSON of Kentucky. I did not catch that.

Mr. MANN. The language on page 3, in line 3, "in the District of Columbia," should be stricken out of the bill.

Mr. JOHNSON of Kentucky. The bill was prepared by the gentleman from New York [Mr. OGLESBY]——

Mr. MANN. But the bill as drawn provides that they may reinter the bodies in a cemetery which they have in the District of Columbia.

Mr. JOHNSON of Kentucky. That ought to be stricken out.

Mr. MANN. The report shows that the cemetery is outside of the District of Columbia.

Mr. JOHNSON of Kentucky. I move to strike out, on page 3, in line 3, the words "in the District of Columbia." That will correct it, will it not?

Mr. MANN. Yes.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Kentucky.

The Clerk read as follows:

Amend, page 3, by striking out, in line 3, the words "in the District of Columbia."

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. STAFFORD. Do I understand that the ownership of the lots in this cemetery is in the lodge organization, or is it in individuals in fee?

Mr. JOHNSON of Kentucky. I understand it is in the lodge organization, and that the officers of that lodge have been traded with.

Mr. STAFFORD. I am acquainted with the Odd Fellows cemetery in Philadelphia, under the jurisdiction of the Odd Fellows Lodge, but the title to the lots in that cemetery is in the individuals who purchased the lots. Here you are granting full authority to the directors to remove the bodies of the dead, without the consent of the relatives of the deceased.

Mr. MANN. That is something we have nothing to do with anyhow.

Mr. STAFFORD. Perhaps the relatives of the deceased might object to the disinterment being made by the directors of the lodge. Has that subject been considered at all by the committee?

Mr. JOHNSON of Kentucky. I will say to the gentleman from Wisconsin that I have not given this bill much of my personal attention. It was up before the committee and approved, and the gentleman from Arkansas [Mr. CARAWAY] was designated by the committee to ascertain whether or not either the United States Government or the District of Columbia had any title in the property, and he reported that neither had any interest; and he was also directed by the committee to prepare and make the report, which was done by him. My information all around is that the passage of the bill will lead to no trouble.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Kentucky [Mr. JOHNSON].

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

EXECUTORS OF CHARLES B. CHURCH, DECEASED, ET AL.

Mr. JOHNSON of Kentucky. Mr. Speaker, I desire to call up a bill that is on the private calendar (H. R. 13388) for the relief of James T. Petty; Charles W. Church and others, executors of Charles B. Church, deceased; Jesse B. Wilson; and George T. Dearing.

The bill was read, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to cause to be paid to James T. Petty, formerly auditor of the District of Columbia; Charles W. Church and others, executors of Charles B. Church, deceased; Jesse B. Wilson; and George T. Dearing, sureties on the bond of said James T. Petty, as such auditor, the sum of $2,824, to reimburse them for that amount paid by them for counsel fees and printing record in the case, Supreme Court of the District of Columbia, at law, No. 46544, District of Columbia, plaintiff, against James T. Petty, Charles W. Church, William A. H. Church, Mary A. Church, and Joseph J. Darlington, executors of Charles B. Church; Jesse B. Wilson, and George T. Dearing, defendants. That in order to carry out the provisions of this act the sum of $2,824 is hereby appropriated, which sum shall be paid wholly out of the revenues of the District of Columbia.

Mr. MANN. Mr. Speaker, I make the point of order that this is a private-claim bill, over which the Committee on the District of Columbia has no jurisdiction; and I call attention to paragraph 4 of Rule XXI, which reads that—

No bill for the payment or adjudication of any private claim against the Government shall be referred, except by unanimous consent, to any other than the following-named committees, viz: To the Committee on Invalid Pensions, to the Committee on Pensions, to the Committee on Claims, to the Committee on War Claims, to the Committee on the Public Lands, and to the Committee on Accounts.

Mr. JOHNSON of Kentucky. Mr. Speaker, this is not a claim against the Government.

Mr. MANN. Oh, yes; it is a claim for reimbursement for the amount paid by the parties named for counsel fees, including record, in the Supreme Court of the District of Columbia.

Mr. JOHNSON of Kentucky. It is payable out of the funds of the District of Columbia.

Mr. MANN. That does not make any difference.

Mr. JOHNSON of Kentucky. Yes. It is a claim against the District of Columbia and not against the Government.

The SPEAKER. The Chair thinks the point of order is well taken.

DRINKING WATER AT AMUSEMENT PARKS.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill (H. R. 16759) to require owners and lessees of amusement parks to furnish drinking water to patrons free of cost, and so forth.

The bill was read, as follows:

Be it enacted, etc., That all persons, firms, or corporations in the District of Columbia engaged in conducting open-air theaters, baseball parks, or other places of amusement where admission fees are charged by said owners or lessees shall furnish, free of cost, to the patrons of said places an adequate supply of pure, cool, drinking water, with sanitary cups, which shall be placed in sufficient amount to be conveniently accessible to all the patrons as aforesaid.

SEC. 2. That any person, firm, or corporation failing to comply with the provisions of this act shall be punished as for a misdemeanor and fined not less than $25 nor more than $100 for each offense.

With the following committee amendment:

Strike out all after the enacting clause and insert: "That hereafter it shall be unlawful for each and every person, firm, or corporation directly or indirectly operating or conducting or participating in the operation, management, or control of any theater, picture show, ball park, or other place of amusement or entertainment in the District of Columbia, to which place of amusement or entertainment an admission fee is charged, to fail or refuse to furnish free of any charge whatsoever by placing within convenient and accessible reach an adequate supply of pure, cool, drinking water, together with cups from which it may be drunk, to all persons who are patrons of any such place while said patrons are actually in attendance at such theater, picture show, ball park, or other place of amusement or entertainment above described.

"SEC. 2. That any person, firm, or corporation which fails to comply with the provisions of the above section shall be guilty of a misdemeanor; and upon conviction of such failure or refusal shall be fined not less than $25 nor more than $100 for each offense. A failure to so supply each and every patron hereinbefore mentioned shall be a distinct offense. It is hereby made the duty of the Commissioners of the District of Columbia to see that the provisions of this act are enforced."

Mr. MANN. Mr. Speaker, may I ask the gentleman from Kentucky is it intended that this shall apply to a temporary place of amusement, even a circus?

Mr. JOHNSON of Kentucky. I do not know whether it was intended to do so or not; but, in my opinion, it does.

Mr. MANN. It seems to do so. I do not know how a circus on a vacant lot would manage to furnish free drinking water in such quantities as might be required.

Mr. JOHNSON of Kentucky. I think the gentleman is correct about that. I doubt the propriety of requiring that, and I will accept an amendment excepting circuses.

Mr. MANN. I will say to the gentleman that I have no amendment prepared. There might be some entertainment given by school children to which an admission charge was paid.

Mr. JOHNSON of Kentucky. The water would be there, without this bill.

Mr. MANN. I think not.

Mr. JOHNSON of Kentucky. As I understand from the gentleman from Georgia [Mr. HOWARD], who introduced this bill, it was intended principally to cover the situation at the ball park, where people go in large numbers and pay their money, and are kept there all the afternoon without water, and are compelled to buy soft drinks, which create thirst rather than lessen it.

Mr. MANN. As a matter of fact, I have taken the liberty to attend the ball park on various occasions. A ball game usually lasts about two hours, and the man who is so thirsty that he can not go without a drink for two hours but has to get a drink there and discommode everybody by passing by, better stay at home.

Mr. JOHNSON of Kentucky. Any of those who want to stay at home have my consent to do it. It occurs to me that those who are thirsty ought to have an opportunity to get a drink of water on a hot summer afternoon.

Mr. MANN. As a matter of fact, in the theaters they pass the water around.

Mr. JOHNSON of Kentucky. They do, and they ought to do so at the ball park.

Mr. MANN. To pass the water around would not comply with the provisions of the bill.

Mr. JOHNSON of Kentucky. Yes; it would, because that is putting it within the reach of the people. At the theater they pass it around, and that is more convenient than it would be if they had to go to another place and get the water. The bill simply provides that water shall be put within convenient reach and that the theater people furnish it to guests instead of making them go after it, which is more convenient.

Mr. MANN. You say that it must be within convenient reach of the people, and that means all the time or else it does not mean anything.

Mr. STAFFORD. Will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. STAFFORD. What is the intendment of the framers of the measure—that if the owners of the ball park and other places of amusement will furnish an automatic drinking fountain that would be a compliance with the law?

Mr. JOHNSON of Kentucky. I think unquestionably so.

Mr. STAFFORD. But they are not furnished with drinking cups.

Mr. JOHNSON of Kentucky. If they want to hang a cup there and people want to drink out of it, they can do it.

Mr. STAFFORD. Under some jurisdictions they can not have a common drinking cup, but must furnish sanitary paper cups.

Mr. JOHNSON of Kentucky. If there is any law that requires sanitary drinking cups, this measure will cover it. Of course, it would have to be the kind of cup under this bill that was required.

Mr. STAFFORD. This bill was introduced and designed to prevent the selling of soft drinks, such as Coca Cola, and so forth?

Mr. JOHNSON of Kentucky. It was not introduced for such a purpose, but it is intended to give people who do not want to drink that kind of stuff a chance to get a drink of water.

The SPEAKER. The question is on the amendments.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. JOHNSON of Kentucky) there were—ayes 71, noes 15.

So the bill was passed.

On motion of Mr. JOHNSON of Kentucky, a motion to reconsider the vote whereby the bill was passed was laid on the table.

REGULATION OF PLASTERING IN THE DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill H. R. 7771, to regulate plastering in the District of Columbia.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the District of Columbia all plastering in dwellings, tenements, apartments, hospitals, schools, and other buildings, when on lath, shall be known as three-coat work, namely, scratch coat, brown coat, and finish.

SEC. 2. Key space: That all ceilings, stud partitions, and furred walls in tenements, apartments, hospitals, schools, and other buildings, where plastered with lime on wood lath, shall have not less than three-eighths inch space between the laths. All grounds and laths shall be not less than seven-eighths inch from the stud.

SEC. 3. First coat or scratch coat: That first or scratch coat shall be of first quality, to be scratched thoroughly to make a key for the second coat, and shall be thoroughly dry or set before applying second coat.

SEC. 4. Second coat: That second coat or brown mortar shall be of first quality. All browning must be straight true, with no unevenness or irregularity of surface.

SEC. 5. Finishing: That when white mortar or any other coat it shall be laid on regular and troweled to a smooth surface, showing neither deficiencies nor brush marks.

SEC. 6. Cornices or coves: That all cornices or coves shall be run straight, true, and smooth.

SEC. 7. Patent plasters: That when patent plasters are used, if on wood lath, shall not be less than one-quarter inch key space. First coat shall be thoroughly scratched to make key to retain second coat, shall be set before second coat is applied.

SEC. 8. That it shall be the duty of the inspector of building construction to enforce the provisions of this act. It shall be the duty of the Commissioners of the District of Columbia to enact such ordinances as may be necessary for the enforcement of this act and to prescribe reasonable penalties for noncompliance therewith. Any inspector appointed in pursuance of this act or in pursuance with the provisions of any such ordinances shall be a competent plasterer of at least five years' practical experience.

SEC. 9. That this act shall take effect 90 days after passage.

The following committee amendments were read:

Amend, page 1, line 3, by striking out the word "all" and inserting in lieu thereof the following: "when three-coat work is used."

Amend, page 2, lines 4 and 5, by striking out the words "mortar or any other coat" and inserting in lieu thereof the following: "lime mortar or plaster of Paris is used as a finishing."

Amend, page 2, line 6, by striking out the period at the end of said line and inserting the following: "any other coat shall be laid on regular and brought to an even surface without deficiencies."

Amend, page 2, line 12, by striking out the semicolon and inserting in lieu thereof the following: "and"; and further amend same line by inserting, after the word "be," the words "allowed to."

Amend, page 2, by beginning with the word "Any," in line 19, and striking out all of said line after said word, all of lines 20, 21, and 22.

The SPEAKER. The question is on the committee amendments.

Mr. MANN. Mr. Speaker, I would like to ask the gentleman if we did not pass a bill sometime ago containing these provisions?

Mr. JOHNSON of Kentucky. This bill has been up once or twice previously, but objections were made to it. Committee amendments have been offered which we think will obviate those objections.

Mr. MANN. Were not these provisions included in the bill of the gentleman from Illinois [Mr. BUCHANAN], which we did pass?

Mr. JOHNSON of Kentucky. I think not. If that bill contained these provisions, it escaped me.

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

Mr. MANN. Mr. Speaker, on page 2, line 19, before the word "shall," I think the word "there" should be inserted, so as to read:

That when patent plasters are used, if on wood lath, there shall not be less than one-quarter inch key space.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 2, line 19, before the word "shall," insert the word "there."

Mr. JOHNSON of Kentucky. That is a good amendment, Mr. Speaker, and I accept it.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion by Mr. JOHNSON of Kentucky, motion to reconsider the vote whereby the bill was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 5195. An act for the relief of the Atlantic Canning Co.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill and joint resolution of the following titles, when the Speaker signed the same:

H. R. 13815. An act to increase the limit of cost for the construction of a public building at Marlin, Tex.; and

S. J. Res. 218. Joint resolution to provide for the detail of an officer of the Army for duty with the Panama-California Exposition, San Diego, Cal.

TRANSPORTATION OF POLICEMEN IN DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill H. R. 8847, amending paragraph 81 of the act creating a public utilities commission:

The Clerk read the bill, as follows:

Be it enacted, etc., That paragraph 81 of section 8 of an act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1913, and for other purposes," approved March 4, 1913, be, and the same hereby is, amended to read as follows:

"*Provided*, That all street railroads in the District of Columbia be, and are hereby, authorized and required to grant free transportation to members of the fire department of the District of Columbia, members of the Metropolitan police department, and special officers of said department, when said members and officers are in uniform."

With the following committee amendments:

Page 2, line 2, strike out the words "special officers" and insert in lieu thereof the words "crossing policemen."

Page 2, line 2, at the end of the line and after the comma, insert the words "and members of the park police force."

Page 2, at the end of the bill, insert the following:

"However, before any of said officers herein mentioned shall receive free transportation as herein provided for he shall file with the Commissioners of the District of Columbia an affidavit to the effect that he has not, since the date of this report (July 11, 1914), and will not thereafter, pay to any person anything for services in the preparation or passage of this bill."

Mr. JOHNSON of Kentucky. Mr. Speaker, the bill ought to be further amended by inserting "police officers known as crossing policemen."

Mr. MANN. As a matter of fact, we covered this in an amendment to the District appropriation bill.

Mr. KAHN. Mr. Speaker, the District appropriation bill simply took care of the regular police force. This takes care of park policemen and crossing policemen as well. These men perform a very important service in the city, and we feel that they ought to be taken care of in this matter as well as the regular police and the regular firemen. The legislation ought to include all policemen and all firemen in the District.

Mr. MANN. I have no objection to your passing a bill three times if you want to do it.

Mr. PAGE of North Carolina. Mr. Speaker, I have no objection to including the other policemen. I will say that my impression is that the language carried in the District appropriation bill now in the Senate is broad enough to include any policeman in the District of Columbia. It uses the words "policemen in uniform," and certainly the park policemen and the crossing policemen wear policemen's uniforms. I can not see that this bill is any broader than the language that is carried in the appropriation bill now under consideration in the Senate, which has already passed the House. It seems to me that it is absolutely unnecessary to pass this bill, that provision having already passed the House, which provision will unquestionably become a law.

Mr. MANN. Mr. Speaker, of course the language in this bill originally was "members of the Metropolitan police force." That would have excluded crossing policemen and also park policemen, but when we say "policemen in uniform"——

Mr. PAGE of North Carolina. The provision in the appropriation bill does not specify Metropolitan policemen, but it merely says "policemen and firemen in uniforms," which would include all of the policemen, both crossing and park policemen.

Mr. KAHN. Mr. Speaker, of course so far as the gentleman's statement is concerned, I am satisfied that he is of the impression that it does include all of the policemen, and it probably does. But these matters are put up to the law officers of the District for construction, and you can never tell what construction they will place on the language. When the utilities bill was passed there was some language in it which they construed as applying to all policemen and firemen, which forbade them riding on the cars.

Mr. PAGE of North Carolina. It was exactly for that reason that the provision was inserted in the appropriation bill. It was because of the construction placed on the language in the act creating the Utilities Commission that we placed that language in the appropriation; and in drafting that provision, our intention was, and I think we made it sufficiently broad

to do so, to include any policeman in the District of Columbia who has a uniform. For that reason, Mr. Speaker, I see no reason for the passage of this bill.

Mr. MANN. Mr. Speaker, I would not have the slightest objection to passing this bill, if we should leave out the last amendment.

Mr. KAHN. Mr. Speaker, I have no objection to letting the bill go over, in view of the statement made by the gentleman from North Carolina [Mr. PAGE].

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask unanimous consent that the bill be left on the calendar so that if the District appropriation bill does not take care of the matter we can take his bill up hereafter.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to withdraw this bill and pass it over without prejudice. Is there objection?

There was no objection.

INTERMARRIAGE OF WHITE AND NEGRO RACES IN THE DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill (H. R. 1710) to prohibit the intermarriage of persons of the white and negro races within the District of Columbia; to declare such contracts of marriage null and void; to prescribe punishments for violations and attempts to violate its provisions.

The Clerk reported the bill, as follows:

Be it enacted, etc., That from and after the passage of this act the intermarriage of white and negro persons within the District of Columbia shall be prohibited and each and every contract of marriage entered into between a white and negro person within the District of Columbia, shall be absolutely null and void, and for the purposes of this act any person having one-eighth of negro blood shall be deemed to be a negro.

SEC. 2. That each and every white and negro person violating the provisions of section 1 of this act shall, upon conviction, be punished by a fine of not less than $1,000 nor more than $5,000, by imprisonment at hard labor for not less than one nor more than five years, or by both such fine and imprisonment, in the discretion of the trial court.

SEC. 3. That any officer of the District of Columbia, minister of the gospel, or other person who may wilfully and knowingly render air or assistance to any white and negro person in an attempt to violate the provisions of section 1 of this act shall, upon conviction, be punished by a fine of not less than $250 nor more than $1,000, or by imprisonment at hard labor of not less than six months nor more than one year, or both, at the discretion of the trial court.

SEC. 4. That all acts and parts of acts in conflict with the provisions of this act be, and the same are hereby, repealed.

With the following committee amendment:

Page 1, line 7, after the word "Columbia," insert "from and after the passage of this act."

Mr. MANN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present. Evidently there is not.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Adamson	Drukker	Kinkaid, Nebr.	Plumley
Ainey	Dunn	Kinkead, N. J.	Porter
Allen	Eagan	Kitchin	Post
Anderson	Edmonds	Knowland, J. R.	Powers
Ashbrook	Elder	Kreider	Price
Austin	Falson	Lazaro	Reed
Avis	Falconer	L'Engle	Roberts, Nev.
Bailey	Fess	Lesher	Rothermel
Baltz	Fordney	Levy	Rupley
Barchfeld	George	Lewis, Pa.	Sabath
Bartlett	Gill	Lindquist	Scully
Barton	Gittins	Loft	Shackleford
Bell, Ga.	Glass	Logue	Sherley
Bowdle	Goldfogle	McClellan	Shreve
Brodbeck	Graham, Pa.	McGillicuddy	Smith, Md.
Bruckner	Gregg	McGuire, Okla.	Smith, N. Y.
Burke, Pa.	Griest	Manahan	Stanley
Cantor	Griffin	Metz	Stephens, Nebr.
Cantrill	Guernsey	Miller	Sutherland
Carew	Hamill	Morin	Taggart
Cary	Harris	Moss, Ind.	Talbott, Md.
Casey	Hart	Moss, W. Va.	Taylor, N. Y.
Chandler, N. Y.	Hayden	Mott	Ten Eyck
Clancy	Helgesen	Neeley, Kans.	Townsend
Claypool	Hinebaugh	Neely, W. Va.	Tuttle
Connolly, Iowa	Hoxworth	O'Brien	Vare
Conry	Igoe	Oglesby	Vollmer
Crosser	Johnson, Utah	O'Hair	Walsh
Dale	Jones	O'Shaunessy	Wilson, Fla.
Dickinson	Kelley, Mich.	Palmer	Wilson, N. Y.
Difenderfer	Kennedy, Iowa	Patten, N. Y.	Witherspoon
Dooling	Kennedy, R. I.	Peters	Woodruff
Doremus	Kettner	Peterson	Woods

The SPEAKER. On this roll call 292 Members, a quorum, responded to their names.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The question was taken, and the motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors, and the Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 1710) to prohibit the intermarriage of persons of the white and negro races within the District of Columbia; to declare such contracts of marriage null and void; to prescribe punishments for violations and attempts to violate its provisions.

Be it enacted, etc., That from and after the passage of this act the intermarriage of white and negro persons within the District of Columbia shall be prohibited and each and every contract of marriage entered into between a white and negro person within the District of Columbia shall be absolutely null and void, and for the purposes of this act any person having one-eighth of negro blood shall be deemed to be a negro.

SEC. 2. That each and every white and negro person violating the provisions of section 1 of this act shall, upon conviction, be punished by a fine of not less than $1,000 nor more than $5,000, by imprisonment at hard labor for not less than one nor more than five years, or by both such fine and imprisonment, in the discretion of the trial court.

SEC. 3. That any officer of the District of Columbia, minister of the gospel, or other person who may willfully and knowingly render air or assistance to any white and negro person in an attempt to violate the provisions of section 1 of this act shall, upon conviction, be punished by a fine of not less than $250 nor more than $1,000, or by imprisonment at hard labor of not less than six months nor more than one year, or both, at the discretion of the trial court.

SEC. 4. That all acts and parts of acts in conflict with the provisions of this act be, and the same are hereby, repealed.

The committee amendment was read, as follows:

Page 1, line 7, after the word "Columbia," insert a comma and the words "from and after the passage of this act."

Mr. JOHNSON of Kentucky. Mr. Speaker, I desire to offer another committee amendment. I find on page 2, line 11, that the printer made an error by using the letter "r" instead of the letter "d," so it reads "air" instead of "aid," and I would move to substitute the letter "d" for the letter "r."

The SPEAKER. Is that an amendment to the amendment?

Mr. JOHNSON of Kentucky. It is not.

The SPEAKER. The vote will be first taken on the committee amendment which has been read.

The question was taken, and the committee amendment was agreed to.

Mr. JOHNSON of Kentucky. Mr. Speaker, there is a typographical error on page 2, line 11. The printer has used the letter "r" instead of the letter "d," making it "air" instead of "aid."

The SPEAKER. Without objection, the amendment will be agreed to.

There was no objection.

The SPEAKER. Has the gentleman from Kentucky another amendment?

Mr. JOHNSON of Kentucky. No. The first committee amendment was agreed to.

The SPEAKER. But did not the gentleman from Kentucky have two amendments to correct the text?

Mr. JOHNSON of Kentucky. No; just the one suggested, Mr. Speaker.

Mr. Speaker, I yield the remainder of my time to the gentleman from Florida [Mr. CLARK].

Mr. TRIBBLE. Mr. Speaker, I have an amendment to offer.

The SPEAKER. The Chair will recognize the gentleman from Georgia at the proper time. The gentleman from Florida [Mr. CLARK] is recognized for 58 minutes.

Mr. CLARK of Florida. Mr. Speaker, it is not my purpose to discuss at any length this bill. It seems to me, Mr. Speaker, that the bill carries upon its face every possible argument in its favor, and I can not conceive how any Member of Congress can possibly object to the enactment of this legislation. It has obtained in a great many of the States, and the fact that it has not obtained in the District of Columbia long before this is a mystery to me. It seems to me, Mr. Speaker, that this is legislation in the interest of both of the races involved. If the negro has a future in the economy of the Universe, he ought to have it as a member of a distinctive race and not as a mongrel. So far as the white race is concerned, I believe the future of the world is dependent upon the preservation of its integrity. I am free to admit and I do admit and I am glad to admit that the negro since the day he was given his freedom has made great progress in this country, and no man and no set of men are any more glad of the fact than am I and those of the section from which I hail; but, Mr. Speaker, the negro ought to desire, and I am sure the best element of his race does desire, that whatever progress they may make in this country, whatever progress they make in the world, may be made by their race as a distinctive race and not as an admixture of all the races. As I said, this legislation is in the interest of both, and ought to be placed upon the statute books, so that these races at the Capital of the country may maintain their own identity

and work out their own future under the laws of the country as best they can. As I said in the beginning, I do not care to enter into any lengthy discussion. I can not see how any Member upon the floor of this House can oppose it, and I shall not at this time take up the further time of the House. I want to say, however, Mr. Speaker, there is upon the statute books of this District a very stringent law for the punishment of bastardy. There is upon the statute books of this District a stringent law punishing the crime of seduction. That and the act which bears the name of the distinguished minority leader ought to protect females of any race against the vicious of their own or any other race. I mention these few thoughts, Mr. Speaker, and now I desire to yield 10 minutes to the gentleman from Illinois [Mr. MADDEN].

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] is recognized for 10 minutes.

Mr. MADDEN. Mr. Speaker, I am opposed to intermarriage of the races. The negroes themselves are opposed to such marriages. But I am opposed to legislation making such marriages a crime. If a white man and a black woman want to marry, it should be a matter for them to decide. I think they would both be foolish to thus ostracize themselves from association with their own people, and that is what they do when they marry. But if they want to ostracize themselves, that is a personal matter between them, and should be.

To make such marriages criminal and void would leave the children of such marriages without the protection which they need and should have. Instead of bettering the moral conditions such a law would make them worse. It would leave many young girls at the mercy of brutes willing to take advantage of their virtue and then desert them to a life of shame. I can not conceive of a condition under which a white man should be allowed to cohabit with a black woman not his wife without being compelled by law to marry her or provide for the care of their children. Why should innocent women of the negro race not have the same protection of the law which is accorded to women of any other race? It will not do to say there is no such condition as that to which I have alluded. Everyone knows better, else how does it happen that we have so many people of mixed blood in the United States.

The negroes are willing to confine their marriages to their own race, indeed they would prefer that, but they have a right to demand that the women of their race shall not be considered the legitimate prey of the men of other races. [Applause.] If marriage between the Negro and Caucasian is so abhorrent as to some it seems to be, why do so many of the Caucasian men insist on taking undue liberties with the defenseless Negro women? Why do they insist on mixing the blood of the races? If the blood of both races can be kept pure by law, all right; but who can assure it? By all means, if we are to have a law against mixed marriages, that law should provide for arrest and prosecution for bastardy, so that it will be possible to expose those who boast of the purity of their blood while they continue clandestinely and illegally to cohabit with those against whom this law is directed.

Let the law of marriage stand as it is, and trust to the pride of race both among the Negroes and Caucasians to contract their marriages with their own people. The purpose of this law is to further degrade the negro, to make him feel the iron hand of tyranny so long practiced against his race.

We should do all we can to combat the spirit of persecution and prejudice which confronts the negroes of this country and to assure to them every right, privilege, and opportunity to which every citizen of the United States is entitled. The negroes ask no favors, no privileges, no special advantages. They ask no indulgence for their shortcomings, or any unusual economic and educational opportunities. They ask only equal opportunity—equality in the courts of the land. We should bestir ourselves to aid the negroes, not embarrass them or shame them. We should make them feel that they are a useful and desirable part of our people. No other people has ever made greater progress under like conditions. They have increased in numbers from 1863 to 1915 from 4,500,000 to 10,000,000. They have advanced from almost total illiteracy since emancipation until to-day 70 per cent can read and write. They have among them musicians, artists, doctors, lawyers, mechanics, artisans, agriculturists, bankers, educators, preachers, merchants, and are engaged in every useful occupation. They have accumulated property valued at $700,000,000—$70 per capita—a marvelous showing, a greater showing, indeed, than has ever been made before anywhere during all civilization. No other emancipated people have ever made so great a progress in so short a time.

We should remember that the negroes constitute one-tenth of our population, that they are a God-loving and law-abiding people who should be encouraged in their efforts to reach a higher moral standard. We should help the negro to help himself.

We should not continue to put the stamp of our disapproval upon him and cast him adrift and discourage him in an effort to reach that moral standard for which we all hope and continue to pray. The enactment of this law will do that, and will be one more step backward, which should never be taken by a Congress representing the people of America. [Applause.]

Mr. CLARK of Florida. Mr. Speaker, how much time have I left?

The SPEAKER. The gentleman has 40 minutes left.

Mr. CLARK of Florida. Mr. Speaker, I yield 15 minutes to the gentleman from Iowa [Mr. PROUTY].

The SPEAKER. The gentleman from Iowa [Mr. PROUTY] is recognized for 15 minutes.

Mr. PROUTY. Mr. Speaker, this is another of those "nostrums" that have been presented by the District Committee to this House which have been receiving the criticism of some Members of this House. A short time ago this House passed an amendment to the appropriation bill to some extent modifying and destroying what is commonly known as the sacred "half-and-half" principle. A few nights after that a meeting of the citizens in Washington was called together for the purpose of renouncing and denouncing the action of this House, and especially attacking the District Committee that is now reporting another one of these bills for the betterment, as I think, of the District of Columbia. I wish to send to the Clerk's desk and have read the part of a newspaper that I have marked as a basis for a few observations which I shall make.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

[Washington Evening Star of January 6, 1915.]

NOSTRUMS TRIED UPON THE DISTRICT—POLITICAL EXPERIMENT STATION OF NATION, SAYS REPRESENTATIVE MOORE—FOE OF ANY CHANGES IN HALF-AND-HALF PLAN.

BREEDING SPOT FOR NOSTRUMS.

"The District is the breeding spot for legislative nostrums that were created in the brains of gentlemen whose ideas do not always conform to the Constitution," declared Representative MOORE. "I am one who for the last three years have sat in Congress in utter amazement. A gentleman comes in from Iowa, after a large experience on the farm, and assumes that everything is wrong in the District of Columbia. A gentleman comes in from Oklahoma and says, 'I'll say things about 'em that will make the folks down home think I am some pumpkins.'

"You will have to be patient, for these gentlemen who have come to govern you are the descendants of our colonial forefathers who have gone away and come back to find that the old home is all wrong."

Mr. PROUTY. Mr. Speaker, I have no doubt that Members of this House will recognize that I am one of the fellows referred to in that remark. [Laughter.] I plead guilty to having taken a somewhat active part in trying to foist upon the District some of these "nostrums." I confess that I have taken quite an active part in helping to reform the tax laws of the District of Columbia. During all that time I have been subject to severe criticism and characterization and cartoons, against which I have never raised my voice.

But now that a charge so grave and so serious is preferred against this House, and myself in particular, by a Member of this House, not in the House, I feel that I can not quite constrain myself to keep still. What is the charge? That this House is dealing in nostrums—dangerous, obnoxious nostrums. I do not question the gentleman's right upon the floor of the House to criticize the Members of the House, but I do kindly suggest to him the impropriety, at least, and lack of courtesy in going down town to a meeting and attacking Members of Congress when they are not present and have no chance to reply. [Applause.] But I shall not discuss that question. I am going to leave that for the gentleman's own meditation and decision.

But he charges me with a very serious offense. He charges me with being "a farmer." [Laughter.] Now, if that accusation came from almost any other Member of this House I would consider it the compliment of my life, but coming from a man who, by his oft expressions on this floor, reveals his conception of the inferiority of that real yeomanry called "farmers" in this House, I can not accept his designation without some little resentment. [Laughter.]

But now what have I done? What has indicated that I was a farmer? I do not look like a farmer. My hands are not calloused. [Laughter.] I would, however, consider myself honored if I did belong to that class; but I am, unfortunately, something like the gentleman who thus attacked me—I have been devoting my life to other subjects and other pursuits.

But what is the charge, stripped of all its foliage, that he has lodged against me? Undoubtedly when he was hunting for a belittling name that he could apply to me he thought over the meanest thing that he could command. [Laughter.] He did not call me a liar or a thief or a fool, or anything of that

kind. He thought those too mild. He said to himself, "I will just brand him as a 'farmer,' a 'Reuben' from the far West." [Laughter.]

Mr. MURDOCK. Getting $1.60 for wheat. [Laughter.]

Mr. PROUTY. Now, Mr. Speaker, I am not going to parade my knowledge of the affairs of the District. The gentleman indicated that we were a lot of Reubens from the West who had strayed away from here and had come back here and thought we could reform things in the District. I have spent three hard years in investigating the affairs of the District of Columbia, and, without any boastfulness, I put my knowledge of the District of Columbia up against that of the distinguished gentleman who was appealing down town for the applause of the people of the District of Columbia. He may have some knowledge that I have not. He has professed knowledge about things here in this District on the floor of the House that I plead my ignorance of. [Laughter.] While I have been ignorant, I have not been quite able to understand whether he knows too much or too little about the District of Columbia. I admit I knew too little.

But now let us get down to concrete facts. What is the basis of this charge?

Mr. MOORE. Mr. Speaker——

The SPEAKER. Does the gentleman from Iowa yield to the gentleman from Pennsylvania?

Mr. PROUTY. With pleasure.

Mr. MOORE. Is the gentleman from Iowa making reference to me? Does he mean to say that I have charged him with any particular offense?

Mr. PROUTY. With being a farmer; yes.

Mr. MOORE. And is the gentleman serious about it?

Mr. PROUTY. I do not consider that is material. I refuse to answer. [Laughter.]

A few of us have been devoting considerable time to trying to right what we believed was a wrong in this District—a system of taxation that makes the people here bear but about one-half the burdens of taxation of the people at home. We have sought by all fair and honorable means to educate this House and these people. I do not know just exactly why a fellow should be accused of being a farmer on account of that. If so, it is a compliment, and I wish that there were some more farmers in this House and fewer bouquet chasers, so far as I am concerned. [Laughter.] The gentleman comes from Philadelphia. I mean the gentleman from Pennsylvania, Mr. MOORE, so that he may not have any doubt as to whom I refer. He comes from a beautiful city, a city that not only since the beginning of this Government, but long before, was struggling to be a great and beautiful city. I have no doubt that the gentleman has pride in that, but does the gentleman know that his people whom he represents here upon the floor of this House pay more than twice the taxes that are paid by the people from whom he was seeking bouquets down there the other night? Does he know that in the District of Columbia a man does not pay any taxes upon his moneys and credits, while up in Philadelphia his people, the people who are trying to make Philadelphia beautiful, are paying taxes upon their moneys and credits? Does he know that in the city of Washington there is no inheritance tax, direct or collateral? Does he know that up in Philadelphia the people whom he represents, and represents ably in some lines, pay an inheritance tax? Does he know that the State of Pennsylvania is contributing $567,000 annually as its pro rata in bearing the burdens that fall upon the people of the District of Columbia, while they are only bearing one-half of the burdens that his own people at home are carrying? Does he know that in the city of Philadelphia, in addition to the taxes the people have to pay in general, every man who owns a lot has to pay for the curbing, the sewering, the sidewalks, and the pavement in front of that lot? Does he know that his people, thus taxed, have to come down here and pour into the treasury of the District of Columbia funds to lift this burden off the poor, downtrodden people in the city of Washington? [Applause.]

I shall not pursue this question further, but I say that the men who have stood here and fought to protect the rights of the people at home, including the people of Philadelphia, have at least a right to be attacked only on the floor of this House by their colleague from Philadelphia. [Applause.]

Mr. CLARK of Florida. Mr. Speaker, how much time have I left?

The SPEAKER. Thirty minutes.

Mr. MOORE. Mr. Speaker, I rise to ask the gentleman from Florida [Mr. CLARK] in charge of this bill to yield to me as much time as he yielded to the gentleman from Iowa.

Mr. CLARK of Florida. Yes; I yield to the gentleman 15 minutes.

The SPEAKER. The gentleman from Iowa used only 10 minutes of his 15.

Mr. PROUTY. I yield the other five to the gentleman from Pennsylvania.

Mr. MOORE. Oh, no; the gentleman need not do that.

Mr. CLARK of Florida. I yield 10 minutes to the gentleman from Pennsylvania. That will be enough, will it not?

Mr. MOORE. Yes; that will be sufficient, I think.

Mr. CLARK of Florida. All right; I yield 10 minutes.

Mr. MOORE. Mr. Speaker, it is fair to the gentleman from Iowa [Mr. PROUTY] to say that a few minutes before 12 o'clock to-day he called me on the telephone and advised me to be present, informing me he had something to say that he desired me to hear. That was the fair and manly and statesmanlike thing to do. He did not want to say something about me when I was not in the House. I wondered what it was that he desired to say. He did not indicate what it was; and yet I suspected that possibly what he had in mind was due to a publication in one or two of the Washington newspapers recently about some remarks made by me at a meeting of what is called the Columbia Heights Citizens' Association.

It will be recalled that the District of Columbia has no representation upon this floor, and that about the only way in which the people of this District can express themselves is through these various citizens' associations.

I went reluctantly to this meeting, because I do not care to indulge too much in this sort of speech making, but I went to oblige some friends, and having gone there I concluded to say something. What I said appears to have been quoted. I did refer to the fact that there are a great many small States of this Union which, through no fault of their own, because the Constitution gives them that right, have a great deal to say in the Congress of the United States respecting the manner in which the larger States and the larger communities shall be governed. I did incidentally refer to the fact that 36 States of the Union can dominate 12 States that have a greater population, nearly all of the wealth, most of the manufactures, and most of the industries of the country. I did refer to a few of the States that have a peculiar power in this Government at this time, States like Nevada and Idaho, for instance, the total population of which does not exceed that of the single congressional district that I represent, which States have four United States Senators and three Members of the House of Representatives to look after them. They have no greater population than the District of Columbia, yet the District of Columbia has no representation upon this floor; and the gentleman from Iowa, who comes from a safe constituency, and gentlemen from other sections of the country, coming from constituencies that are perfectly safe upon questions affecting the District of Columbia, do take advantage of the fine opportunity they have here for original investigation, and they do present legislative nostrums here and compel us to vote upon them, whether we would or no.

Now, as to the gentleman's complaint: I did not make any serious accusation against the gentleman from Iowa. I have great personal respect for him, and I do not consider him a "rube" or a "farmer." [Laughter.] I am a farmer's son myself; I was born and brought up on a farm, but I never made the success the gentleman from Iowa has made of being "a farmer."

There are two sides to this question of "the farmer" and "the rube." Sometimes those of us who come from large cities have been accused of being unfair in our references to the farmers. Yet there are farmers and farmers; some good, some clever. I have always stood for the real and honest farmer. I have voted to protect his rights along with those of my own constituents. But as to "the other side" I send to the Clerk's desk an article from a Philadelphia newspaper published day before yesterday. It is strange it should appear at this time, because it shows that all men who profess to be farmers do not give their customers in the cities a square deal. The price of grain has gone up, and we are paying for it in the cities when we buy wheat and bread; in fact, everything that is manufactured in the great city industries to-day sells for a lower price than heretofore, while everything we buy to feed the city people, who have to come for their meals three times a day, is higher than ever before. I will ask the Clerk to read the article.

The Clerk read as follows:

HOLD UP 288,000 EGGS—SHIPMENT SAID TO BE 2 YEARS OLD CAN NOT BE SOLD HERE.

A shipment of 24,000 dozen eggs, alleged to be more than 2 years old, was held up yesterday by Special Agent Simmers, of the State dairy and food commission, at the Third and Berks Streets freight station of

the Philadelphia & Reading Railway. Mr. Simmers ordered that the eggs should not reach the consumer, and served notice on Nice & Schreiger, Willow and Water Streets, to whom the eggs were consigned, that he would give the firm one week to send the eggs out of the State. Mr. Simmers's action was in compliance with the law passed by the last legislature that eggs in storage more than eight months shall not be sold for public consumption. Mr. Simmers also notified the firm to collect 230 crates of eggs which had been distributed to retailers throughout the city. The 2-year-old eggs were shipped here from Dunlap, Iowa.

[Laughter.]

Mr. PROUTY. Will the gentleman yield?

Mr. MOORE. Certainly.

Mr. PROUTY. Is the gentleman from Pennsylvania now throwing rotten eggs at me? [Laughter.]

Mr. MOORE. It seems so, but the gentleman can interpret the article in his own way. I have had this article read merely to show that the gentleman or some of his constituents certainly know how to make a good, slick bargain; they know how to make us pay sometimes for their egg product of doubtful age that may have been in somebody's cellar or storage house for two years.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. MOORE. I will.

Mr. GREEN of Iowa. I suggest that the article in question simply shows the credulity—and I was almost going to say the absolute ignorance—of people dwelling in the cities with reference to matters in the country. Dunlap, Iowa, is in my district. It is a small town and never had a storage warehouse. It could not keep that quantity of eggs for two years, and the whole matter is an invention of some ingenious correspondent.

Mr. MOORE. I am glad to see that some one rises to defend this situation. [Laughter.] Apparently this question of rotten eggs does not appeal to any of the gentlemen from Iowa, and I did not think it would. So long as this farmer talk has come from one of the leading lights of Iowa, however, I thought it but fair that a statement should be made in justice to their customers in the city, who have no farmers' automobiles to ride in and who do not have the money to pay for farmers' eggs that are of dubious quality.

Now, Mr. Speaker, evidently the gentleman from Iowa, whom I did not personally attack—and I wish to say that no names were called in the desultory address that I made the other night—the gentleman from Iowa evidently has in mind one or two matters that are just a little unpleasant to him now. He has stood here as sponsor for several bills that have not been working out just as the gentleman from Iowa would have them. I can not mention the name of a representative in another body, because it is contrary to the rules of the House, but I think there is a little soreness over there also, as was revealed in a recent debate, due to the fact that some people are watching the progress of these nostrums brought into the House to be tried out on the District of Columbia, and are complaining that they are not quite as effective as they might have been.

One particular bill which was not introduced by the gentleman from Iowa, who has taken it upon himself to wear the boot that might have fitted other representatives of the State—and I did not refer to him or to anyone in particular in the speech of which he complains—the gentleman from Iowa, who has taken the boot, evidently is speaking for a distinguished member of another body. He seems to think——

The SPEAKER. The gentleman from Pennsylvania must not discuss Members at the other end of the Capitol.

Mr. MOORE. I will put this up to the distinguished gentleman from Iowa, and if he does not "get all the headlines" which he deserves——

Mr. PROUTY. Will the gentleman yield.

Mr. MOORE. Yes.

Mr. PROUTY. To relieve the gentleman from Pennsylvania from any embarrassment I will say that the bill he refers to was introduced by me in the House, and you can lay it all on me.

Mr. MOORE. The gentleman having relieved me of any possible violation of the rules of parliamentary procedure, I will say that I believe the gentleman is not quite satisfied in his own mind that the law for which he stood, but which does not bear his name, is not working out as he hoped it would.

There are several District of Columbia laws to which I might refer and characterize as "nostrums," but this one particular law for which the gentleman stood as sponsor and which he takes over to himself, though it does not bear his name, has had the effect of which I indicated recently, of driving out a certain class of undesirable residents in the District of Columbia and sending them into the respectable residential quarters, where they have been giving respectable people a great deal of trouble.

I do not care to go further with that matter than to say that yesterday, if reports in the paper be true, there was committed in the District of Columbia, or near by, one of the most atrocious murders that has ever occurred here, the murder of two men and the shooting of one of these unfortunate women who had moved from the city to a neighborhood section of the country——

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. CLARK of Florida. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, I am glad to hear the gentleman from Illinois say that he opposes intermarriage between negroes and whites, and I am glad to hear from him that the negroes themselves oppose such marriages. I wish I could believe the latter part of his statement. Unfortunately I know it is not true. Some negroes may oppose the hybridization of their race. Many profess to oppose it, but usually in a spirit of defiance or for political purposes. The gentleman from Illinois being a well-read and highly informed man presumably opposes it, because he knows it to be bad for both races. This must be his position, and yet he says there should be no law on the subject, and that it should be left to the blacks and whites themselves to determine whether such marriages shall occur.

Why, Mr. Speaker, we do not even allow the beasts of the field freedom to hybridize in that way, and how infinitely more important it is that the breeding of men should be intelligently controlled? But if he is right and the negroes want to prevent the production of mongrels, why not gratify them by giving them this law?

If the gentleman were as familiar as I am with the real conditions in southern communities, where there are many more negroes with much less political importance than there are in Chicago, he would know that what ought to be regarded as a badge of shame is really looked upon by many negroes as an advantage, and that difference in complexion makes the difference in the social rank, the substratum of negro society being the blacker members of the race.

I want purity of race for the good of both races. The thoroughbred is better than the mongrel in all forms of animal life.

The gentleman is right when he says that the negroes in the United States have advanced astonishingly. I am glad to hear it. I have nothing but kindly feeling for them, and I always insist upon justice for them. They have advanced amazingly, but only in the United States or in certain West Indian Islands where they have lived under analogous conditions. They have prospered when basking in the sunshine of the white man's presence and when their society has been stimulated by the white man's mind.

Have they made a corresponding advance elsewhere? The gentleman may read the answer in the history of Liberia, Haiti, Santo Domingo, and in the centuries-old, undisturbed savagery of nearly all the African Continent.

Mr. CLARK of Florida. Mr. Speaker, I now move the previous question on the bill as amended to final passage.

The SPEAKER. The Chair will ask the gentleman to withhold that motion for a moment. The Chair will state to the gentleman that he promised to recognize the gentleman from Georgia [Mr. TRIBBLE]—and the Chair is not certain but that he should have recognized him at the time—and the gentleman from California [Mr. HAYES], both to offer amendments; and if the gentleman will withhold the motion for a moment, until the Chair can recognize these gentlemen, the Chair will be obliged to him.

Mr. CLARK of Florida. Mr. Speaker, how much time have I left?

The SPEAKER. Twenty minutes.

Mr. CLARK of Florida. Mr. Speaker, I fear I must insist upon my motion for the previous question on the bill as amended to final passage.

Mr. HUMPHREY of Washington. Mr. Speaker, will the gentleman withhold his motion until I can ask him a question about the bill, for information?

Mr. CLARK of Florida. I will withhold the motion for a moment in order that I may answer the gentleman's question.

Mr. HUMPHREY of Washington. Mr. Speaker, I wish to ask the gentleman how many of these marriages there are in the District? What is the extent of this practice?

Mr. CLARK of Florida. Mr. Speaker, I do not know how many there are, but they are very considerable, and there ought not to be any.

Mr. HUMPHREY of Washington. I wanted to know whether the gentleman knew. I am asking for information.

Mr. CLARK of Florida. It is getting worse all of the time.

The SPEAKER. The gentleman from Florida moves the previous question on the bill and amendments to final passage.

Mr. CLARK of Florida. Mr. Speaker, I understand that the committee amendments have been adopted. I now move the previous question on the bill as amended to final passage.

The SPEAKER. The question is on the motion of the gentleman from Florida on ordering the previous question on the bill as amended.

Mr. RAKER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. RAKER. Mr. Speaker, I would like to state to the gentleman that I have prepared here four amendments which I would like to offer to the bill.

Mr. CLARK of Florida. Mr. Speaker, I shall have to insist on the motion. This bill is intended only to cover one feature of this case.

Mr. RAKER. Mr. Speaker, may I have my proposed amendments printed in the RECORD?

Mr. CLARK of Florida. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is the motion of the gentleman from Florida on ordering the previous question.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 83, noes 53.

Mr. MANN. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Illinois demands the yeas and nays.

Mr. DONOVAN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Connecticut makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. The question is on ordering the previous question.

The question was taken; and there were—yeas 175, nays 119, answering "present" 1, not voting 129, as follows:

YEAS—175.

Abercrombie	Dixon	Hill	Quin
Adair	Donohoe	Hobson	Ragsdale
Adamson	Doolittle	Holland	Rainey
Aiken	Doremus	Houston	Rauch
Alexander	Doughton	Howard	Rayburn
Ashbrook	Driscoll	Hughes, Ga.	Reilly, Wis.
Aswell	Dupré	Hull	Rouse
Baker	Eagle	Humphreys, Miss.	Rubey
Barkley	Edwards	Jacoway	Rucker
Barnhart	Estopinal	Johnson, Ky.	Russell
Beall, Tex.	Fergusson	Kennedy, Conn.	Seldomridge
Blackmon	Ferris	Kettner	Sherley
Borchers	Fields	Key, Ohio	Sims
Borland	Finley	Kirkpatrick	Sisson
Brockson	Fitzgerald	Konop	Slayden
Brown, N. Y.	FitzHenry	Korbly	Slemp
Brown, W. Va.	Flood, Va.	Lee, Ga.	Small
Brumbaugh	Floyd, Ark.	Lee, Pa.	Smith, Tex.
Buchanan, Ill.	Foster	Lever	Sparkman
Buchanan, Tex.	Fowler	Lewis, Md.	Stedman
Burgess	Francis	Lieb	Stephens, Miss.
Burke, Wis.	French	Linthicum	Stephens, Tex.
Burnett	Gard	Lloyd	Stone
Byrnes, S. C.	Garner	Lobeck	Stout
Byrns, Tenn.	Garrett, Tenn.	McKellar	Stringer
Candler, Miss.	Garrett, Tex.	Maguire, Nebr.	Sumners
Cantrill	Gill	Mahan	Taylor, Ala.
Caraway	Gittins	Mitchell	Taylor, Ark.
Carr	Goodwin, Ark.	Montague	Thomas
Carter	Gordon	Moon	Thompson, Okla.
Church	Goulden	Morgan, La.	Tribble
Clark, Fla.	Graham, Ill.	Morrison	Underhill
Cline	Gray	Moss, Ind.	Underwood
Coady	Gregg	Mulkey	Vaughan
Collier	Gudger	Murray	Vinson
Connelly, Kans.	Hamlin	Oldfield	Walker
Connolly, Iowa	Hardy	O'Shaunessy	Watkins
Crisp	Harris	Padgett	Watson
Cullop	Harrison	Page, N. C.	Weaver
Davenport	Hay	Palmer	Webb
Dent	Hayden	Park	Whaley
Dershem	Heflin	Peterson	Williams
Dickinson	Henry	Post	Wingo
Dies	Hensley	Pou	

NAYS—119.

Anderson	Copley	Gardner	Helvering
Anthony	Cramton	Gerry	Hinds
Barton	Curry	Gillett	Howell
Beakes	Danforth	Gilmore	Hughes, W. Va.
Bell, Cal.	Davis	Good	Hulings
Britten	Deitrick	Gorman	Humphrey, Wash.
Browne, Wis.	Dillon	Green, Iowa	Johnson, Wash.
Browning	Donovan	Greene, Mass.	Kahn
Bryan	Esch	Greene, Vt.	Keating
Bulkley	Fairchild	Hamill	Keister
Burke, S. Dak.	Farr	Hamilton, Mich.	Kelly, Pa.
Butler	Fordney	Hamilton, N. Y.	Kiess, Pa.
Calder	Frear	Hawley	Lafferty
Campbell	Gallagher	Hayes	La Follette
Cooper	Gallivan	Helgesen	Langham
Langley	Neeley, Kans.	Riordan	Stevens, N. H.
Lenroot	Nolan, J. I.	Roberts, Mass.	Sutherland
Lindbergh	Norton	Rogers	Switzer
Lonergan	Paige, Mass.	Sabath	Tavenner
McAndrews	Parker, N. J.	Sherwood	Temple
McGillicuddy	Parker, N. Y.	Sinnott	Thacher
McKenzie	Patton, Pa.	Sloan	Thomson, Ill.
McLaughlin	Phelan	Smith, Idaho	Towner
Madden	Platt	Smith, J. M. C.	Treadway
Mann	Plumley	Smith, Minn.	Volstead
Mapes	Porter	Smith, Saml. W.	Wallin
Miller	Prouty	Stafford	Walters
Moore	Raker	Steenerson	Winslow
Morgan, Okla.	Reed	Stephens, Cal.	Young, N. Dak.
Murdock	Reilly, Conn.	Stevens, Minn.	

ANSWERING "PRESENT"—1.

Kinkaid, Nebr.

NOT VOTING—129.

Ainey	Drukker	Kitchin	Rupley
Allen	Dunn	Knowland, J. R.	Saunders
Austin	Eagan	Kreider	Scott
Avis	Edmonds	Lazaro	Scully
Bailey	Elder	L'Engle	Sells
Baltz	Evans	Lesher	Shackleford
Barchfeld	Faison	Levy	Shreve
Bartholdt	Falconer	Lewis, Pa.	Smith, Md.
Bartlett	Fess	Lindquist	Smith, N. Y.
Bathrick	George	Loft	Stanley
Bell, Ga.	Glass	Logue	Stephens, Nebr.
Booher	Godwin, N. C.	McClellan	Taggart
Bowdle	Goeke	McGuire, Okla.	Talbott, Md.
Brodbeck	Goldfogle	MacDonald	Talcott, N. Y.
Broussard	Graham, Pa.	Maher	Taylor, Colo.
Bruckner	Griest	Manahan	Taylor, N. Y.
Burke, Pa.	Griffin	Martin	Ten Eyck
Callaway	Guernsey	Metz	Townsend
Cantor	Hart	Mondell	Tuttle
Carew	Haugen	Morin	Vare
Carlin	Helm	Moss, W. Va.	Vollmer
Cary	Hinebaugh	Mott	Walsh
Casey	Hoxworth	Neely, W. Va.	Whitacre
Chandler, N. Y.	Igoe	Nelson	White
Clancy	Johnson, S. C.	O'Brien	Wilson, Fla.
Claypool	Johnson, Utah	Oglesby	Wilson, N. Y.
Conry	Jones	O'Hair	Witherspoon
Cox	Kelley, Mich.	Patten, N. Y.	Woodruff
Crosser	Kennedy, Iowa	Peters	Woods
Dale	Kennedy, R. I.	Powers	Young, Tex.
Decker	Kent	Price	
Difenderfer	Kindel	Roberts, Nev.	
Dooling	Kinkead, N. J.	Rothermel	

So the previous question was ordered.

The Clerk announced the following pairs:

Until further notice:

Mr. BELL of Georgia with Mr. GRIEST.

Mr. WILSON of Florida with Mr. ROBERTS of Nevada.

Mr. IGOE with Mr. MOTT.

Mr. BARTLETT with Mr. BARCHFELD.

Mr. BATHRICK with Mr. AINEY.

Mr. BOOHER with Mr. BARTHOLDT.

Mr. BROUSSARD with Mr. DUNN.

Mr. BRUCKNER with Mr. CARY.

Mr. CAREW with Mr. BURKE of Pennsylvania.

Mr. ALLEN with Mr. CHANDLER of New York.

Mr. CALLAWAY with Mr. AUSTIN.

Mr. CARLIN with Mr. AVIS.

Mr. CASEY with Mr. EDMONDS.

Mr. CONRY with Mr. FESS.

Mr. DALE with Mr. GRAHAM of Pennsylvania.

Mr. DECKER with Mr. GUERNSEY.

Mr. DOOLING with Mr. HAUGEN.

Mr. EAGAN with Mr. HINEBAUGH.

Mr. FAISON with Mr. JOHNSON of Utah.

Mr. GLASS with Mr. KELLEY of Michigan.

Mr. GODWIN of North Carolina with Mr. KENNEDY of Rhode Island.

Mr. GOLDFOGLE with Mr. KENNEDY of Iowa.

Mr. GRIFFIN with Mr. KINKAID of Nebraska.

Mr. HART with Mr. J. R. KNOWLAND.

Mr. JOHNSON of South Carolina with Mr. KREIDER.

Mr. JONES with Mr. LEWIS of Pennsylvania.

Mr. KITCHIN with Mr. MARTIN.

Mr. LAZARO with Mr. MCGUIRE of Oklahoma.

Mr. LESHER with Mr. MANAHAN.

Mr. LOFT with Mr. MONDELL.

Mr. MAHER with Mr. MORIN.

Mr. NEELY of West Virginia with Mr. Moss of West Virginia.

Mr. PATTEN of New York with Mr. NELSON.

Mr. PRICE with Mr. PETERS.

Mr. SCULLY with Mr. POWERS.

Mr. SMITH of New York with Mr. LINDQUIST.

Mr. STEPHENS of Nebraska with Mr. SCOTT.

Mr. TAGGART with Mr. SHREVE.

Mr. TALBOTT of Maryland with Mr. VARE.

Mr. TAYLOR of Colorado with Mr. WOODS.

The result of the vote was announced as above recorded.

The SPEAKER. The Doorkeeper will unlock the doors.

LEAVE OF ABSENCE.

The SPEAKER laid before the House the following personal request:

HANOVER, PA., *January 11, 1915.*

Hon. CHAMP CLARK,
Speaker House of Representatives:

I respectfully ask leave of absence for several days on account of illness.

A. R. BRODBECK.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

INTERMARRIAGE OF WHITE AND NEGRO RACES IN THE DISTRICT OF COLUMBIA.

The SPEAKER. The question is on the engrossment and third reading.

Mr. HEFLIN. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. Not on the third reading?

Mr. HEFLIN. No; not on the third reading.

Mr. RUCKER. Mr. Speaker, I ask for the yeas and nays on this vote.

The SPEAKER. Does the gentleman demand the yeas and nays on the third reading?

Mr. RUCKER. That is what I do; yes, sir.

The SPEAKER. Why, of course there is no doubt about the gentleman's right.

The question was taken, and the yeas and nays were refused.

The bill was ordered to be engrossed and read a third time; was read the third time.

Mr. RAKER. Mr. Speaker——

Mr. MANN. Mr. Speaker, I move to recommit the bill.

Mr. RUCKER. Mr. Speaker——

Mr. RAKER. Mr. Speaker——

The SPEAKER. The gentleman from Missouri.

Mr. RUCKER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RUCKER. Is it proper now to demand a reading of the engrossed reading of this bill?

The SPEAKER. The Chair did not understand the gentleman.

Mr. RUCKER. Is this the proper time to demand a reading of the engrossed copy of the bill?

The SPEAKER. It is too late. The gentleman from Illinois [Mr. MANN] moves to recommit this bill. Is the gentleman opposed to it?

Mr. MANN. I am.

Mr. RAKER. Mr. Speaker——

The SPEAKER. The gentleman from California.

Mr. RAKER. Does a motion to recommit with specific instructions have precedence over a motion simply to recommit?

The SPEAKER. The gentleman can amend the motion to recommit.

Mr. UNDERWOOD. Mr. Speaker, I move the previous question on the motion to recommit.

Mr. FOSTER. Mr. Speaker, I move the previous question on the motion to recommit.

Mr. RAKER. I offer to amend the motion to recommit, Mr. Speaker.

The SPEAKER. But two gentlemen moved the previous question on the motion to recommit. The question is on the previous question on the motion of the gentleman from Illinois to recommit.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. RUCKER. Mr. Speaker, I demand the yeas and nays on that motion.

The SPEAKER. The gentleman from Missouri demands the yeas and nays on the motion to recommit.

The yeas and nays were ordered.

The SPEAKER. The question is on the motion of the gentleman from Illinois to recommit, and the Clerk will call the roll.

The question was taken; and there were—yeas 90, nays 201, answered "present" 1, not voting 132, as follows:

YEAS—90.

Anderson	Copley	Gillett	Humphrey, Wash.
Barchfeld	Crosser	Gilmore	Johnson, Wash.
Barton	Danforth	Good	Kahn
Bell, Cal.	Davis	Green, Iowa	Kelly, Pa.
Britten	Deitrick	Greene, Mass.	Kiess, Pa.
Browne, Wis.	Donovan	Greene, Vt.	Lafferty
Browning	Esch	Hamilton, Mich.	La Follette
Bulkley	Fairchild	Hamilton, N. Y.	Langham
Burke, S. Dak.	Farr	Hawley	Lenroot
Butler	Fordney	Helgesen	Lindbergh
Calder	French	Howell	McAndrews
Campbell	Gallagher	Hughes, W. Va.	McKenzie
Cobper	Gardner	Hulings	Madden
Mann	Patton, Pa.	Smith, Idaho	Thomson, Ill.
Martin	Platt	Smith, J. M. C.	Towner
Miller	Plumley	Smith, Minn.	Treadway
Mondell	Porter	Stafford	Volstead
Moore	Riordan	Steenerson	Wallin
Nelson	Roberts, Mass.	Stevens, Minn.	Walters
Norton	Rogers	Sutherland	Winslow
Paige, Mass.	Sabath	Switzer	Young, N. Dak.
Parker, N. J.	Sherwood	Temple	
Parker, N. Y.	Sloan	Thacher	

NAYS—201.

Abercrombie	Donohoe	Hughes, Ga.	Reilly, Conn.
Adair	Doolittle	Hull	Reilly, Wis.
Adamson	Doremus	Humphreys, Miss.	Rouse
Aiken	Doughton	Jacoway	Rubey
Alexander	Driscoll	Johnson, Ky.	Russell
Anthony	Dupré	Keating	Seldomridge
Ashbrook	Eagle	Kennedy, Conn.	Sells
Aswell	Edwards	Kettner	Sherley
Baker	Estopinal	Key, Ohio	Sims
Barkley	Fergusson	Kirkpatrick	Sinnott
Barnhart	Ferris	Konop	Sisson
Beakes	Fields	Korbly	Slayden
Beall, Tex.	Finley	Lee, Ga.	Slemp
Blackmon	FitzHenry	Lee, Pa.	Small
Borchers	Flood, Va.	Lever	Smith, Saml. W.
Borland	Floyd, Ark.	Lieb	Smith, Tex.
Bowdle	Foster	Linthicum	Sparkman
Brockson	Francis	Lobeck	Stedman
Brown, N. Y.	Frear	Lonergan	Stephens, Miss.
Brumbaugh	Gallivan	McGillicuddy	Stephens, Tex.
Bryan	Gard	McKellar	Stevens, N. H.
Buchanan, Ill.	Garner	McLaughlin	Stone
Buchanan, Tex.	Garrett, Tenn.	Maguire, Nebr.	Stringer
Burgess	Garrett, Tex.	Mahan	Sumners
Burke, Wis.	Gerry	Mapes	Taggart
Burnett	Gittins	Mitchell	Talcott, N. Y.
Byrnes, S. C.	Godwin, N. C.	Montague	Tavenner
Byrns, Tenn.	Goodwin, Ark.	Moon	Taylor, Ala.
Candler, Miss.	Gordon	Morgan, Okla.	Taylor, Ark.
Cantrill	Gorman	Morrison	Taylor, Colo.
Caraway	Goulden	Moss, Ind.	Thomas
Carlin	Graham, Ill.	Mulkey	Thompson, Okla.
Carr	Gray	Murray	Tribble
Carter	Gregg	Neeley, Kans.	Underhill
Clark, Fla.	Gudger	Nolan, J. I.	Underwood
Cline	Hamlin	Oldfield	Vaughan
Coady	Hardy	O'Shaunessy	Vinson
Collier	Harris	Padgett	Vollmer
Connelly, Kans.	Harrison	Page, N. C.	Walker
Connolly, Iowa	Hay	Palmer	Watkins
Cox	Hayden	Park	Watson
Crisp	Heflin	Peterson	Weaver
Curry	Helm	Phelan	Webb
Davenport	Helvering	Pou	Whaley
Decker	Henry	Prouty	White
Dent	Hensley	Quin	Williams
Dershem	Hill	Ragsdale	Wingo
Dickinson	Hobson	Rainey	Young, Tex.
Dies	Holland	Raker	
Dillon	Houston	Rayburn	
Dixon	Howard	Reed	

ANSWERED "PRESENT"—1.

Kinkaid, Nebr.

NOT VOTING—132.

Ainey	Eagan	Kent	Peters
Allen	Edmonds	Kindel	Post
Austin	Elder	Kinkead, N. J.	Powers
Avis	Evans	Kitchin	Price
Bailey	Faison	Knowland, J. R.	Rauch
Baltz	Falconer	Kreider	Roberts, Nev.
Bartholdt	Fess	Langley	Rothermel
Bartlett	Fitzgerald	Lazaro	Rucker
Bathrick	Fowler	L'Engle	Rupley
Bell, Ga.	George	Lesher	Saunders
Booher	Gill	Levy	Scott
Brodbeck	Glass	Lewis, Md.	Scully
Broussard	Goeke	Lewis, Pa.	Shackleford
Brown, W. Va.	Goldfogle	Lindquist	Shreve
Bruckner	Graham, Pa.	Lloyd	Smith, Md.
Burke, Pa.	Griest	Loft	Smith, N. Y.
Callaway	Griffin	Logue	Stanley
Cantor	Guernsey	McClellan	Stephens, Cal.
Carew	Hamill	McGuire, Okla.	Stephens, Nebr.
Cary	Hart	MacDonald	Stout
Casey	Haugen	Maher	Talbott, Md.
Chandler, N. Y.	Hayes	Manahan	Taylor, N. Y.
Church	Hinds	Metz	Ten Eyck
Clancy	Hinebaugh	Morgan, La.	Townsend
Claypool	Hoxworth	Morin	Tuttle
Conry	Igoe	Moss, W. Va.	Vare
Cramton	Johnson, S. C.	Mott	Walsh
Cullop	Johnson, Utah	Murdock	Whitacre
Dale	Jones	Neely, W. Va.	Wilson, Fla.
Difenderfer	Keister	O'Brien	Wilson, N. Y.
Dooling	Kelley, Mich.	Oglesby	Witherspoon
Drukker	Kennedy, Iowa	O'Hair	Woodruff
Dunn	Kennedy, R. I.	Patten, N. Y.	Woods

So the motion to recommit was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BARTLETT with Mr. AVIS.

Mr. PATTEN of New York with Mr. GUERNSEY.

Mr. KITCHIN with Mr. HAYES.

Mr. BROWN of West Virginia with Mr. KENNEDY of Iowa.

Mr. EVANS with Mr. SHREVE.

Mr. FITZGERALD with Mr. WOODS.

Mr. LEWIS of Maryland with Mr. CRAMTON.
Mr. LLOYD with Mr. HINDS.
Mr. MORGAN of Louisiana with Mr. KEISTER.
Mr. SHACKLEFORD with Mr. LANGLEY.
Mr. LEVY with Mr. STEPHENS of California.
The result of the vote was announced as above recorded.
The SPEAKER. The question is on the passage of the bill.
Mr. CLARK of Florida rose.
The SPEAKER. For what purpose does the gentleman rise?
Mr. CLARK of Florida. In order to save time, Mr. Speaker, I demand the yeas and nays on the passage of the bill.
The SPEAKER. The gentleman from Florida [Mr. CLARK] demands the yeas and nays.
The yeas and nays were ordered.
The SPEAKER. The Clerk will call the roll. Those in favor of passing this bill will, when their names are called, answer "yea"; those opposed will answer "nay."
The question was taken; and there were—yeas 238, nays 60, not voting 126, as follows:

YEAS—238.

Abercrombie	Donovan	Humphreys, Miss.	Reilly, Wis.
Adair	Dooling	Jacoway	Riordan
Adamson	Doolittle	Johnson, Ky.	Rogers
Aiken	Doremus	Johnson, S. C.	Rouse
Alexander	Doughton	Keating	Rubey
Ashbrook	Driscoll	Kennedy, Conn.	Russell
Aswell	Dupré	Key, Ohio	Seldomridge
Avis	Eagle	Kiess, Pa.	Sells
Bailey	Edwards	Kinkaid, Nebr.	Sherley
Baker	Estopinal	Kirkpatrick	Sims
Barkley	Fergusson	Kitchin	Sinnott
Barnhart	Ferris	Konop	Sisson
Bartlett	Fields	Korbly	Slayden
Barton	Finley	Langley	Slemp
Beakes	FitzHenry	Lee, Ga.	Sloan
Beall, Tex.	Flood, Va.	Lee, Pa.	Small
Bell, Cal.	Floyd, Ark.	Lever	Smith, Idaho
Blackmon	Fordney	Lewis, Md.	Smith, N. Y.
Borchers	Foster	Lieb	Smith, Saml. W.
Borland	Fowler	Lloyd	Smith, Tex.
Bowdle	Francis	Lobeck	Sparkman
Britten	Frear	Lonergan	Stedman
Brockson	French	McAndrews	Stephens, Cal.
Brown, N. Y.	Gallagher	McGillicuddy	Stephens, Miss.
Brumbaugh	Gallivan	McKellar	Stephens, Nebr.
Bryan	Gard	McKenzie	Stephens, Tex.
Buchanan, Ill.	Garner	McLaughlin	Stevens, N. H.
Buchanan, Tex.	Garrett, Tenn.	Maguire, Nebr.	Stone
Burgess	Garrett, Tex.	Mahan	Stout
Burke, Wis.	Godwin, N. C.	Mapes	Stringer
Burnett	Goodwin, Ark.	Martin	Sumners
Byrnes, S. C.	Gordon	Mitchell	Sutherland
Byrns, Tenn.	Gorman	Montague	Taggart
Candler, Miss.	Goulden	Moon	Tavenner
Cantrill	Graham, Ill.	Morgan, Okla.	Taylor, Ala.
Caraway	Gray	Moss, Ind.	Taylor, Ark.
Carlin	Greene, Vt.	Mulkey	Taylor, Colo.
Carr	Gregg	Murray	Thomas
Carter	Gudger	Neeley, Kans.	Thompson, Okla.
Church	Hamlin	Nolan, J. I.	Treadway
Clark, Fla.	Hardy	Oldfield	Tribble
Cline	Harris	O'Shaunessy	Underhill
Coady	Harrison	Padgett	Underwood
Collier	Hay	Page, N. C.	Vaughan
Connelly, Kans.	Hayden	Paige, Mass.	Vinson
Connolly, Iowa	Hayes	Palmer	Vollmer
Cox	Heflin	Park	Walker
Cramton	Helm	Patton, Pa.	Watkins
Crisp	Helvering	Peterson	Watson
Curry	Henry	Phelan	Weaver
Davenport	Hensley	Plumley	Webb
Decker	Hill	Porter	Whaley
Deitrick	Hobson	Pou	White
Dent	Holland	Prouty	Williams
Dershem	Houston	Quin	Wingo
Dickinson	Howard	Ragsdale	Winslow
Dies	Howell	Rainey	Woods
Dillon	Hughes, Ga.	Raker	Young, Tex.
Dixon	Hughes, W. Va.	Rayburn	
Donohoe	Hull	Reed	

NAYS—60.

Anderson	Fairchild	Lafferty	Sherwood
Anthony	Farr	La Follette	Smith, J. M. C.
Barchfeld	Gardner	Langham	Smith, Minn.
Browne, Wis.	Gerry	Lenroot	Stafford
Browning	Gillett	Lindbergh	Steenerson
Bulkley	Gilmore	Madden	Stevens, Minn.
Burke, S. Dak.	Good	Mann	Switzer
Butler	Green, Iowa	Miller	Temple
Campbell	Greene, Mass.	Mondell	Thacher
Cooper	Hamilton, Mich.	Nelson	Thomson, Ill.
Copley	Helgesen	Norton	Towner
Crosser	Hinds	Parker, N. J.	Volstead
Danforth	Hulings	Platt	Wallin
Davis	Johnson, Wash.	Reilly, Conn.	Walters
Esch	Kelly, Pa.	Roberts, Mass.	Young, N. Dak.

NOT VOTING—126.

Ainey	Broussard	Casey	Dunn
Allen	Brown, W. Va.	Chandler, N. Y.	Eagan
Austin	Bruckner	Clancy	Edmonds
Baltz	Burke, Pa.	Claypool	Elder
Bartholdt	Calder	Conry	Evans
Bathrick	Callaway	Cullop	Faison
Bell, Ga.	Cantor	Dale	Falconer
Booher	Carew	Difenderfer	Fess
Brodbeck	Cary	Drukker	Fitzgerald
George	Kelley, Mich.	Metz	Sabath
Gill	Kennedy, Iowa	Moore	Saunders
Gittins	Kennedy, R. I.	Morgan, La.	Scott
Glass	Kent	Morin	Scully
Goeke	Kettner	Morrison	Shackleford
Goldfogle	Kindel	Moss, W. Va.	Shreve
Graham, Pa.	Kinkead, N. J.	Mott	Smith, Md.
Griest	Knowland, J. R.	Murdock	Stanley
Griffin	Kreider	Neely, W. Va.	Talbott, Md.
Guernsey	Lazaro	O'Brien	Talcott, N. Y.
Hamill	L'Engle	Oglesby	Taylor, N. Y.
Hamilton, N. Y.	Lesher	O'Hair	Ten Eyck
Hart	Levy	Parker, N. Y.	Townsend
Haugen	Lewis, Pa.	Patten, N. Y.	Tuttle
Hawley	Lindquist	Peters	Vare
Hinebaugh	Linthicum	Post	Walsh
Hoxworth	Loft	Powers	Whitacre
Humphrey, Wash.	Logue	Price	Wilson, Fla.
Igoe	McClellan	Rauch	Wilson, N. Y.
Johnson, Utah	McGuire, Okla.	Roberts, Nev.	Witherspoon
Jones	MacDonald	Rothermel	Woodruff
Kahn	Maher	Rucker	
Keister	Manahan	Rupley	

So the bill was passed.
The Clerk announced the following additional pairs:
Mr. MORRISON with Mr. HUMPHREY of Washington.
Mr. FITZGERALD with Mr. GUERNSEY.
Mr. ELDER with Mr. CALDER.
Mr. SHACKLEFORD with Mr. HAMILTON of New York.
Mr. L'ENGLE with Mr. KAHN.
Mr. OGLESBY with Mr. HAWLEY.
Mr. ROTHERMEL with Mr. MOORE.
Mr. CALLAWAY. Mr. Speaker, I desire to vote "yea."
The SPEAKER. Was the gentleman in the Hall listening when his name should have been called?
Mr. CALLAWAY. I got in after my name was called.
The SPEAKER. The gentleman does not bring himself within the rule.
The result of the vote was announced as above recorded.
On motion of Mr. CLARK of Florida, a motion to reconsider the last vote was laid on the table.

LEAVE TO EXTEND REMARKS.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on this bill.
The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD on the bill just passed. Is there objection?
Mr. CLARK of Florida. I ask unanimous consent that all Members who spoke on this bill may have leave to revise and extend their remarks.
The SPEAKER. For how long?
Mr. CLARK of Florida. Within five legislative days.
The SPEAKER. The gentleman from Florida [Mr. CLARK] asks unanimous consent that all gentlemen who spoke on this bill have five legislative days in which to extend their remarks. Is there objection?
Mr. MANN. I object.
The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent to extend his remarks in the RECORD. Is there objection?
There was no objection.
Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.
The SPEAKER. The gentleman from Florida asks unanimous consent to revise and extend his remarks on the bill just passed. Is there objection?
There was no objection.

MINORITY VIEWS ON S. 2335.

Mr. GREENE of Massachusetts. Mr. Speaker, I ask unanimous consent to present the views of the minority on the bill (S. 2335) to provide for the register and enrollment of vessels built in foreign countries when such vessels have been wrecked on the coasts of the United States or her possessions or adjacent waters and salved by American citizens and repaired in American shipyards.
The SPEAKER. The gentleman from Massachusetts asks unanimous consent to present the views of the minority on the bill S. 2335. Is there objection?
Mr. JOHNSON of Kentucky. Mr. Speaker, reserving the right to object, will that interfere with my calling up another District bill?
The SPEAKER. Not a bit in the world.
Mr. UNDERWOOD. Mr. Speaker, I desire to ask the gentleman how long a time he desires.
Mr. GREENE of Massachusetts. I should like to have five legislative days.
Mr. ALEXANDER. It is on the wrecking bill.

The SPEAKER. The gentleman asks unanimous consent that he may have five days in which to file a minority report on the bill indicated. Is there objection?

There was no objection.

KING THEOLOGICAL HALL.

Mr. JOHNSON of Kentucky. Mr. Speaker, I desire to call up the bill (S. 5168) for the relief of the King Theological Hall and authorizing the conveyance of real estate to the Howard University and other grantees; and I ask unanimous consent that it may be considered in the House as in Committee of the Whole.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read the title of the bill.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to consider this bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the following persons be, and they and their successors as trustees are declared to be, the corporation of the King Theological Hall, established by act of Congress approved January 7, 1891, and the legal trustees thereof, namely: Alfred Harding, Randolph H. McKim, Richard P. Williams, George Williamson Smith, and William C. Rives. In such capacity said trustees, or their successors, are hereby authorized to convey all or any part of the real estate of said corporation, whether now owned or hereafter acquired.

Said trustees at any regular meeting may authorize any two of their number to execute a good and sufficient deed of conveyance of such real estate.

The trustees above named, or their successors, may, if they shall deem it necessary, increase their number from time to time, and determine by by-law the number required to constitute a quorum: *Provided*, That the whole number of trustees shall not exceed 15.

With the following committee amendment:

Page 2, line 3, after the word "meeting," insert the words "or any special meeting called for that purpose."

Mr. JOHNSON of Kentucky. Mr. Speaker, I yield 15 minutes to the gentleman from Missouri [Mr. BORLAND].

The SPEAKER. The gentleman has only five minutes, and he can not yield that time.

Mr. BORLAND. Has not the gentleman an hour under the rule?

The SPEAKER. This bill is being considered in the House as in Committee of the Whole.

Mr. BORLAND. I ask unanimous consent that I may proceed for 15 minutes.

The SPEAKER. The gentleman from Missouri asks unanimous consent to address the House for 15 minutes. Is there objection?

There was no objection.

Mr. BORLAND. Mr. Speaker, at this late day, more than a century and a quarter after the adoption of the Federal Constitution, the question is seriously raised as to the power of the President to fill by appointment vacancies in the subordinate offices of the Government. In the recent cases in Missouri, New York, and New Jersey, the President has appointed during the recess of the Senate persons to fill Federal offices and issued to them commissions extending to the last day of the next succeeding session of the Senate. The power of the President to do this has been questioned and vague threats of impeachment have been made against him. It must occur to the mind of every thinking person that this question can not be a new one arisen for the first time in our constitutional history. In truth it is not a new one. It is thoroughly settled by an unbroken line of precedents and decisions that the President has the constitutional power of doing precisely what he did do. The Constitution provides, section 2, Article II, that the President "Shall nominate, and by and with the advice and consent of the Senate, shall appoint" certain officers of the United States. It is further provided, however, in the same section, that—

The President shall have power to fill up all vacancies that may happen during the recess of the Senate by granting commissions which shall expire at the end of their next session.

This clause of the Constitution must be read and construed in connection with another clause of the same instrument, to wit, section 3, Article II, that the President "Shall take care that the laws be faithfully executed." The constitutional power and duty of the President to see that the laws of the Union are faithfully executed is of equal dignity and constitutional force with the provision that the Senate shall have the right to confirm appointments. In fact it is of greater practical moment than the power of the Senate to confirm. It is absolutely vital to the continued existence of the Federal Government in every public emergency that the President have power to carry on in an orderly and proper manner the regular functions of the Government. This necessarily includes the right to fill subordinate offices with suitable persons. In no other way can the constitutional power of the President to carry on the Government be exercised. It must be presumed conclusively that every minor office created by law is necessary for the discharge of public business and that a continued vacancy in that office is a derangement of the public functions more or less serious according to the exigencies of the case. On the other hand the power of the Senate to confirm was intended only as a constitutional check upon the President against unfit appointments and against any latent danger that the President would seek to govern through a personal machine. It could not have been intended by the framers of the Constitution to vest in the Senate power to keep offices unfilled. Much less could it have been intended to place a personal or political asset in the hands of individual Senators or to give them any vested right in the filling of such offices with men of their own personal selection.

Mr. HUMPHREY of Washington. Will the gentleman yield for a question?

Mr. BORLAND. I am sorry to say I have not the time.

The SPEAKER. The gentleman declines to yield.

Mr. BORLAND. The exact contention now raised is that while the President may have the right by temporary appointment to fill up vacancies which have first occurred during a recess of the Senate he has no right to so fill vacancies which occurred during a session of the Senate and which have for any cause continued until the Senate was in recess. This position is wholly untenable either from a practical or legal standpoint. The question, has the President the power to make a recess appointment to fill a vacancy which existed during a previous session of Congress, has been answered in the affirmative, first by a long line of Executive precedents, commencing with President Monroe and including Presidents Jackson, Tyler, Polk, Pierce, Lincoln, Johnson, Grant, Hayes, Arthur, Harrison, Cleveland, Roosevelt, Taft, and Wilson; second, by a line of decisions of Attorneys General, commencing with that distinguished lawyer, William Wirt, and including Roger B. Taney, Caleb Cushing, William M. Evarts, Charles Devans, Benjamin H. Brewster, William H. H. Miller, Philander C. Knox, William H. Moody, and Henry W. Hoyt; third, by a line of precedents established by the Senate by acquiescing by confirmation of persons appointed during a recess of the Senate where the vacancy occurred during a previous session of the Senate. It is true that individual Members of the Senate have occasionally objected to the power, but the Senate itself has repeatedly acquiesced in it; fourth, by legislation of Congress which attempted to control the right of the President to make such appointments, thus recognizing the fact that he had and had exercised such a power; fifth, by judicial opinion as represented in the decision of Justice Wood, of the Supreme Court of the United States, sitting on the circuit of the northern district of Georgia. (Wood's Rep., vol. 4, pp. 491–496.)

The first opinion of an Attorney General on the subject was rendered by William Wirt to President Monroe on October 22, 1823. (1 Op. A. G., p. 412.) In this opinion it is said:

The President has power to fill during a recess of the Senate by temporary commission a vacancy that occurred by expiration of commission during a previous session of that body; the term in the Constitution "may happen during the recess" being equivalent to "may happen to exist during the recess," without which interpretation it could not be executed in its spirit, reason, and purpose.

The opinion further says:

The substantial purpose of the Constitution was to keep these offices filled, and powers adequate to this purpose were intended to be conveyed. But if the President shall not have the power to fill a vacancy thus circumstanced, the powers are inadequate to the purpose and the substance of the Constitution will be sacrificed to the dublous construction of its letter.

Our great Democratic President Andrew Jackson and his equally great Attorney General Roger B. Taney were of the same opinion. On July 19, 1832, Taney rendered an opinion to President Jackson, in which he said:

It has, I know, been contended that in order to enable the President to make the appointment the vacancy must take place during the recess. In order words, that the office must be full at the time of the adjournment of the Senate and become vacant afterwards. I can not think that this is the true interpretation of the article in question. The Constitution was formed for practical purposes, and a construction that defeats the very object of the grant of power can not be the true one. It was the intention of the Constitution that the offices created by law and necessary to carry on the operations of the Government should always be full, or, at all events, that the vacancy should not be a protracted one. A government can not go on nor accomplish the purposes for which it is established without having the services of proper officers to execute the various duties required by law. To guard against any abuse of the appointing power by the President the approbation of the Senate is required. But the control of the Senate over appointments to such vacancies is effectually preserved by the limited term for which the President is authorized to make them. (2 Op. A. G., 525.)

And Attorney General Williams rendered a similar opinion to President Grant:

The construction put upon the Constitution, giving the President power to "fill up all vacancies that may happen during the recess of the Senate by granting commissions that shall expire at the end of their next session," by former Attorneys General, namely, that it confers upon him full power to fill vacancies in the recess of the Senate, irrespective of the time when such vacancies first occurred, is considered now to be the settled interpretation of that clause with the Department of Justice. (14 Op. A. G., 562.)

I add at this point a somewhat full list of the various opinions of the Attorneys General which are uniform on this question:

President James Monroe: Attorney General William Wirt (1 Op., 412), 1823.

President Andrew Jackson: Attorney General Roger B. Taney (2 Op., 525, 530), 1832.

President John Tyler: Attorney General Hugh S. Legare (3 Op., 637), 1841.

President James K. Polk: Attorney General John Y. Mason (4 Op., 523), 1846.

President Franklin Pierce: Attorney General Caleb Cushing (7 Op., 187), 1855.

President Abraham Lincoln: Attorney General Edward Bates (10 Op., 356), 1862.

President Andrew Johnson: Attorney General Henry Stanberry (12 Op., 32), 1866; Attorney General William M. Evarts (12 Op., 449), 1868; Attorney General William M. Evarts (12 Op., 455), 1868.

President Ulysses S. Grant: Attorney General George H. Williams (14 Op., 562), 1875.

President Rutherford B. Hayes: Attorney General Charles Devens (16 Op., 523), 1880.

President Chester A. Arthur: Attorney General Benjamin H. Brewster (17 Op., 521), 1884; Attorney General Benjamin H. Brewster (18 Op., 29), 1884.

President Benjamin Harrison: Attorney General William H. H. Miller (19 Op., 261), 1889.

President Theodore Roosevelt: Attorney General Philander C. Knox (23 Op., 599), 1901; Attorney General William H. Moody (25 Op., 258), 1904; Acting Attorney General Henry M. Hoyt (26 Op.), 1907.

The power of the President to appoint during recess and the right of an officer to exercise the duties of his office under such appointment have been expressly recognized and sanctioned by legislation of Congress. It is true that this legislation took the form of an attempted restriction upon the constitutional power of the President to appoint, and this must be regarded as the strongest evidence of the legislative determination that the power existed. During the bitter fight between the Senate and President Andrew Johnson over this very question in that era of high feeling following the Civil War Congress passed, in 1867, what was known as the tenure-of-office act. This act was amended in 1869 and brought forward in the Revised Statutes as sections 1767 to 1772. This act undertook to restrict the power of the President to make recess appointments. Section 1768 provided:

And if the Senate during such session shall refuse to advise and consent to an appointment, then * * * the President shall nominate another person as soon as practicable to the same session of the Senate for the office.

The constitutionality of the tenure-of-office act was always seriously questioned. It was held by the best lawyers and statesmen that Congress by legislation had no power to cut down or restrict the constitutional authority of the President. If the power were once conceded in Congress to restrict in any degree the right of the President to see that the laws were faithfully executed and the Government carried on, it would be possible for a hostile Congress, or even for a hostile minority in the Senate, to totally obstruct the necessary functions of the Government. The infamous tenure-of-office act was repealed March 3, 1887 (24 Stat. L., 500). The constitutionality of such legislation was dealt a final blow in the case of Parson *v.* The United States (167 U. S., 327). The last remnant of this species of sand-bag legislation is found in section 1761, providing that no money shall be paid as salary to such appointee until he has been confirmed by the Senate. In other words, Congress has finally recognized that the limit of its power in this regard is the limitation upon appropriations. Since the bitterness growing out of the struggle passed away, it has been the uniform custom of Congress to pay all de facto officers who are discharging the duties of an office during the time which they actually serve by including a special item for that purpose in the appropriation bill. As to postmasters, section 1761 has been expressly repealed by section 31, chapter 180, of the act of March 3, 1879 (20 Stat. L., 362), which provided:

Any person performing the duties of postmaster by authority of the President at any post office where there is a vacancy, for any cause, shall receive for the term for which the duty is performed the same compensation to which he would have been entitled if regularly appointed and confirmed as such postmaster; and all services heretofore rendered in like cases shall be paid for under this provision.

It is interesting to note that during the terms of all of the present Members of the Senate the power of the President to appoint to fill vacancies which had occurred during a previous session of the Senate has been recognized and acquiesced in. The cases include such recent action as the confirmation on December 22, 1914, of John A. Fain as the United States attorney of the western District of Oklahoma, and on January 5, 1915, of Thomas B. Stuart as third judge of the first circuit of the Territory of Hawaii.

The strength of the President's position may be further shown by an examination of the practical effect of an opposite rule. Suppose that the President had no power to fill by appointment a vacancy which first occurred during a session of the Senate, and the person whom he attempted to appoint had no power to discharge the duties of the office until duly confirmed by the Senate, what would be the effect upon the public service of such a condition of affairs? A vacancy might occur in an important office in a distant part of the country so near the close of a session of the Senate as to render it impossible to secure and nominate a suitable person. The office must then remain vacant, to the derangement of public business, until the Senate was again in session, and even then the extreme technicalities of construction would prevent the President from making an appointment. The office might be one vital to the public service, as a United States marshal, a United States attorney, or a collector of internal revenue, a Federal judge, a warden of a Federal penitentiary. If the President was without power in such cases except by the concurrence of the Senate to make appointments, a special session of the Senate would become immediately necessary to fill even a single office. Or suppose a different state of affairs, that the Senate in discharge of the public business is continuously in session from one year's end to another and there is no recess, or a very brief one of a few hours; suppose that the Senate in practical effect delegates to a single Senator the right to say what appointments of the President shall be confirmed in his State and what shall be rejected. Suppose that this single Senator does not recommend a person for the place whom the President regards as suitable and qualified; must the result be that the President must accept the recommendation of a single Senator of a person in whose capacity and suitability he has no confidence under the extreme alternative of allowing the office to remain perpetually unfilled, to the stoppage of all public business? In other words, is the President denied any voice in the suitability of candidates by a species of courtesy under which the Senate would undertake to follow the wishes of a single Senator? In this case what becomes of the constitutional mandate that the President shall see that the laws of the Union be faithfully executed if he be denied the power to appoint officers to carry out that high constitutional duty? It is apparent, therefore, that all arguments drawn from the section of the Constitution giving the Senate the right to confirm appointments are highly technical and savor of legal pettyfoggy. They are totally out of harmony with the spirit and purpose of that great instrument and, as said by our great Attorneys General, utterly inconsistent with practical operation of the Constitution.

At a later time I shall discuss more in detail the danger of permitting a single Senator to name and compel the appointment of persons of his own selection to the offices of United States district attorney, United States judge, and United States marshal when the law permits such Senator to secure employment as the private attorney of persons indicted in the Federal courts for offenses against the United States. [Applause.]

The SPEAKER. The gentleman from Kentucky [Mr. JOHNSON] is recognized for five minutes.

Mr. JOHNSON of Kentucky. Mr. Speaker, the bill under consideration has for its purpose the curing of a defect in a charter, so that a society here, made of colored people, may be given the right to sell some real estate which they own. I apprehend that there is no possible objection to the bill, and unless some one else wishes to speak upon it I ask for a vote.

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill as amended was ordered to a third reading, and was accordingly read the third time and passed.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 2589. An act for the relief of Peter McKay; to the Committee on Claims.

ANNUAL ASSESSMENT OF REAL ESTATE IN THE DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the bill (H. R. 19552) providing for annual assessments of real estate in the District of Columbia.

The Clerk read the bill, as follows:

Be it enacted, etc., That hereafter all real estate in the District of Columbia which is subject to taxation shall be annually listed by the assessor for taxable purposes instead of triennially as heretofore, and all laws are hereby repealed to the extent that they are in conflict herewith.

Mr. JOHNSON of Kentucky. Mr. Speaker, I believe the reading of this bill is sufficient explanation of it.

Mr. MANN. Mr. Speaker, I shall vote against this bill. I have never given a great deal of attention to the subject of laws relating to the assessment of taxes on real estate. In my State I believe real estate is assessed once in three or five years.

Mr. THOMSON of Illinois. Once in four years.

Mr. MANN. My colleague says once in four years. There is no substantial change in the valuation of real estate, generally speaking, from one year to another sufficient to justify the expense of making a new assessment every year. There is a large expense in making an assessment on real estate covering the District of Columbia. To make that every year it seems to me an unnecessary expense when, as I assume, if there are betterments on the property they are subject to readjustment every year.

Mr. JOHNSON of Kentucky. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. JOHNSON of Kentucky. I would like to ask the gentleman what the additional expense would be by having annual assessments instead of triennial?

Mr. MANN. I do not know how much difference there would be, but I know the expense of making an assessment at any time is quite a charge.

Mr. JOHNSON of Kentucky. The appropriations are just the same during the years when assessments are not made as they are when assessments are made.

Mr. MANN. I always accept any statement of fact made by the gentleman from Kentucky, but I should question whether that was correct. It is self-evident to anyone that if you make an assessment of real estate covering the District of Columbia, there is considerable expense about it. There is no use in arguing to me that it does not cost anything, because I have had experience enough to know that it does cost considerable. Now, the ordinary piece of property does not vary to any great extent in three years. To make an assessment every year instead of every three years, I think, is a useless expense, and is not a general practice throughout the country.

Mr. JOHNSON of Kentucky. Mr. Speaker, the "organic act," the act of 1878, which is held so sacred, particularly on the other side of the aisle, required annual assessments of real estate, but in 1902 there was a provision in the District of Columbia appropriation bill, put on in the Senate, which did away with annual assessments and provided for triennial assessments in lieu thereof. In addition to that, that bill did away with the taxation of intangible personal property in the District of Columbia. In addition to that, it further outraged the "organic act" by providing that real estate should be assessed at only two-thirds of its value instead of the full value, as provided in the "organic act."

The assessors are employed by the year, regardless of the fact whether they make an assessment on real estate for that year or not. The gentleman from Illinois [Mr. MANN] is mistaken when he says that there is no material advance in real estate in three years. Here, where property in some sections is increasing in value by leaps and bounds, it increases materially every year. If it had not been increasing materially the "organic act" would not have been amended in 1902 in the three respects just mentioned.

Mr. ALEXANDER. Will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. ALEXANDER. Is there any law by which the improvements on real estate may be considered annually?

Mr. JOHNSON of Kentucky. Yes; that may be taken into consideration annually. Every time the "organic act" has been amended it has been done in order to lessen taxes. Washingtonians scream with indignation when it is now proposed to restore the "organic act." But no one ever heard a word of protest from any of them when it was being changed to the detriment of the United States.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. JOHNSON of Kentucky, a motion to reconsider the vote whereby the bill was passed was laid on the table.

RIVERS AND HARBORS BILL.

Mr. SPARKMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the rivers and harbors bill.

Mr. DONOVAN. Mr. Speaker, I want to renew the request for unanimous consent that I made earlier in the day, that the 20 minutes allowed me in general debate on the rivers and harbors bill may be used by me when we take up the bill under the five-minute rule.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that when the bill is taken up under the five-minute rule he may use the 20 minutes yielded to him for general debate.

Mr. MANN. Mr. Speaker, I have no objection, but can not the gentleman indicate where his amendment is to be offered in the bill?

Mr. DONOVAN. Yes. It is at the bottom of page 4, an amendment with regard to Connecticut Harbor.

The SPEAKER. Is there objection?

Mr. HUMPHREY of Washington. Reserving the right to object, I have no objection to the gentleman talking 20 minutes when we reach that part of the bill. But I shall object to yielding 10 minutes of my time for that purpose. I will yield him 10 minutes in general debate.

The SPEAKER. But the gentleman asks for 20 minutes when that amendment comes up.

Mr. MANN. This is in lieu of the time he was to have in general debate.

Mr. DONOVAN. Yes.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut? [After a pause.] The Chair hears none. The question is on the motion of the gentleman from Florida to go in the Committee of the Whole House on the state of the Union for the consideration of the river and harbor bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. RAINEY in the chair.

The CHAIRMAN. The House is now in the Committee of the Whole House on the state of the Union for the further consideration of the river and harbor bill, of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 20189) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. SPARKMAN. Mr. Chairman, the bill under consideration carries in cash appropriations $31,638,580 and in authorizations $2,500,000, making in all $34,138,580, or $14,894,438—nearly $15,000,000—less than the aggregate amount of cash estimates furnished by the War Department for this measure. These estimates amount to $49,033,018. In addition to which the War Department recommended $5,722,067 to be inserted for several projects by way of authorization, making in all $54,755,085, or $20,616,505 more than the amounts carried in this bill, both cash and authorization combined.

These estimates cover only work on old projects; that is, original work of improvement on projects heretofore adopted, together with maintenance and contingencies. They do not cover any new projects, nor are there any new projects provided for in this bill.

We were enabled to make these reductions by carefully going over the reports upon each project for which estimates were made, and only allowing in the case of maintenance a sum sufficient for that purpose, and in the case of original work of improvement a sum sufficient to carry on the work efficiently and economically and with a fair degree of progress from the 4th of next March until the 30th of June, 1916, a period of nearly 16 months.

In reviewing these estimates and making the reductions and eliminations shown, because we have eliminated quite a number of items in the list of estimates, we had the assistance of the Army engineers, with whom we consulted quite freely with reference to each and every project, and while it may be and doubtless is true that more money could be judiciously expended on the projects for which we are making appropriations, it is believed that enough has been allowed for the purposes mentioned.

Now, in making these reductions and eliminations and in leaving out new projects, the Committee on Rivers and Harbors have not been unmindful of the great and imperative demands

of our rapidly growing commerce, for the benefit of which both the old and the new projects are designed, but in view of Treasury conditions growing out of the war in Europe we have found it necessary to economize, or at least to be very conservative, in the preparation of this bill and in fixing the amounts to be carried in it. To be sure, economy in public expenditures is something always desirable, but at this time, for the reason just given, is more so perhaps than at any time during the past decade and a half. Hence, the severe pruning to which we have subjected the estimates, and yet we have tried to be fair with all projects. Certainly we have allowed enough for maintenance. That was our purpose in every case. It would be very unwise, indeed, to allow any work already completed, if it is worth anything at all, to deteriorate or to become less efficient.

It would also be an unwise policy that would fail to prosecute work with a fair degree of rapidity upon such uncompleted projects as promise adequate returns. Not only is that advisable on account of the advantages to accrue from the completed project, but it is also desirable in the interest of economy, because in many instances, yes, in the majority of cases, a work can be prosecuted with less waste if it is carried on expeditiously. Hence in the reductions mentioned we have given those matters such consideration as it was possible under the circumstances to give them and have treated each project as generously as conditions would permit.

The amounts allowed will complete quite a number of projects, carry others well along toward completion, and generally reduce the aggregate amount yet remaining to be appropriated. This sum, as is well known to those who have kept up with river and harbor legislation, is considerable, amounting approximately to $250,000,000. These are large figures, but let me say that $160,000,000 of that sum are for the Mississippi River and two of its tributaries—the Ohio and the Missouri Rivers—leaving about $89,000,000 to complete the work on perhaps 250 other projects scattered all over the country from Maine to Alaska—on the Atlantic, on the Gulf, on the Pacific, on the Great Lakes, and in the intervening country wherever navigable waters exist. So it will be seen that if we were to eliminate those three rivers the amount, only $89,000,000, necessary to complete the remaining projects heretofore adopted could be approximately covered by two such bills as that we passed through this House last spring, but which did not become a law, or in one such measure as that of 1907, which amounted to about $87,000,000. These are the facts, and yet the main attacks on this bill will likely be leveled at the projects which go to make up the smaller sum of $89,000,000.

I wish to say further while on this subject, that of these $250,000,000 only about $30,000,000 were placed on the books by bills passed since and including that of 1912, which was the first measure framed by the Committee on Rivers and Harbors as at present organized. The other $220,000,000 have come down to us from legislation anterior to the act of 1912. The bill, for instance, of 1910, adopted 180 projects calling for $263,000,000 to complete. We have the most of those projects with us yet, among them being the three rivers just mentioned—the Mississippi, the Ohio, and the Missouri—requiring, as I said, to complete about $161,000,000. I mention all this mainly for the purpose of showing that the demand for river and harbor improvement is not and has not been on the increase during the period covered by the last three or four bills.

Mr. Chairman, we have been carrying on this work now for about a century. It began about 1815, and down to 1896 we had appropriated for river and harbor work approximately $273,000,000. Since that time we have appropriated and authorized a little above $500,000,000. So by far the larger part of the appropriations and authorizations made by Congress for that class of work have been made and authorized since and including the framing and passage of the bill of 1896.

Now, beginning with the bill of 1896 we entered upon a new policy of river and harbor legislation. Down to that time we had gone on in a slipshod unmethodical way making appropriations from time to time without reference to any general or definite plan. But all this was changed in 1896, for beginning with the bill of that year we practically adopted a new policy of river and harbor development. That policy was to improve all the commerce-bearing streams and harbors of the country to their full navigable capacity as rapidly as Treasury conditions would permit. The bill of that year, the largest up to that time in the history of the country, amounted to about $76,000,000 and was framed in pursuance of that policy. It was passed, too, at a time when we had not yet recovered from the disastrous panic of 1893, and the consequent business depression which followed. Furthermore it was enacted while we were borrowing money for the purpose of replenishing the Treasury. True, President Cleveland vetoed the measure. But so important did those then in charge of legislation regard the great works for which the bill provided that in the face of those business and Treasury conditions they passed the bill over the President's veto by a large vote. Then we had the bill of 1899 which also carried a large sum. Again in 1901 we had a bill which, though passing the House, was talked to death in the Senate. It was also a liberal measure, carrying about $60,000,000 as it passed the House.

Then followed the bills of 1902 and 1905—all liberal measures. But that of 1907 eclipsed them all, for it carried as cash and authorizations upward of $86,000,000, being the largest bill of its kind that ever passed Congress.

Mr. EDWARDS. Will the gentleman yield there?

Mr. SPARKMAN. Certainly.

Mr. EDWARDS. Who was chairman of the River and Harbor Committee at that time—1907?

Mr. SPARKMAN. The Hon. THEODORE BURTON, of Ohio.

Mr. FREAR. Will the gentleman yield for another question?

Mr. SPARKMAN. Yes.

Mr. FREAR. I do not care to interrupt, but in order to make this clear, did not that cover two years at that time?

Mr. SPARKMAN. Oh, yes; it covered two years; but it was about twice the amount of the bill we passed through Congress last year, which was intended to cover one year, and this bill is nearly $10,000,000 less than that of last year and is designed to cover nearly a year and a half.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. SPARKMAN. Certainly.

Mr. GOODWIN of Arkansas. I believe the gentleman stated the bill carries about $14,000,000 less than recommended by the department?

Mr. SPARKMAN. Less than the cash estimate.

Mr. GOODWIN of Arkansas. How equitably is this distribution made in reference to the various States and the projects that have been already begun?

Mr. SPARKMAN. I will say that we have not considered States in making these appropriations.

Mr. GOODWIN of Arkansas. As to continuing projects?

Mr. SPARKMAN. As I say, we have not considered States in preparing this bill. We have considered only projects.

Mr. GOODWIN of Arkansas. How equitably has the distribution been made in this bill as to continuing projects?

Mr. SPARKMAN. As equitably as we could, in view of all the conditions as we saw them. Some may differ with us as to that, but we think the distributions are judiciously made. Certainly we have tried to do that.

Mr. GOODWIN of Arkansas. Speaking specifically for one State, I believe the engineers recommended $1,146,000 for Arkansas, and the committee recommended in the bill $41,000, or about one-thirtieth of the amount recommended by the department. Does that same ratio obtain throughout the various States which will be the recipients, if this bill becomes a law, of rather large appropriations?

Mr. SPARKMAN. I could not properly answer that question, I will say to the gentleman, without repeating the reply I made a little while ago, that we are not making appropriations for States. We must ignore State lines in providing for the improvement of rivers and harbors. We do this work under a constitutional provision which takes no note of State lines, but ignores them entirely.

Mr. GOODWIN of Arkansas. Taking a specific project, for example, that of the Ouichita, that is an interstate proposition. I believe the engineers have recommended some $771,000, if I recall, whereas the bill carries on its face only $25,000 for that stream, and that is a continuous project, locks and dams having been begun there several years ago. Does that same disproportion of awards obtain throughout the various States or throughout the various projects? Disproportionate as between recommendations and awards?

Mr. SPARKMAN. It could hardly be disproportionate if it obtained throughout, because it would then be proportionate. But I see the gentleman's point, and I will answer frankly. We have tried to appropriate money for projects in proportion to their merits and the necessities of the work. We may not have done that in every case. Possibly we have not, but it was the intention of the committee so to do. I know to what the gentleman refers. He is not referring, I fancy, alone to the Ouichita, but to the Arkansas River as well.

Mr. GOODWIN of Arkansas. I have a great many continuing projects in mind. I might enumerate them here.

Mr. SPARKMAN. I want to say to the gentleman that I hope he will postpone his questions until I have gotten a little

further along with my statement. Then I will try to answer any question he may propound. In any event, I shall certainly be glad to yield to the gentleman.

Mr. Chairman, when interrupted a moment ago I was dealing with the policy we have been pursuing for the past 18 or 19 years, and had gotten as far as the bill of 1907. Now, during the time this legislation was going on and those large and generous appropriations were being made, the sentiment in favor of this new policy was growing in strength and volume. It was voiced by commercial bodies and newspapers all over the country, by campaign orators, by Members here and in the other branch of Congress; and particularly was it proclaimed in the party platforms of the two great parties; the Republicans always pointing with pride to the great record they were making in carrying on this class of work, and the Democrats promising that if they were placed in power they would do likewise, or possibly a little better. All this went on until 1910, when we embarked upon the annual-bill feature. This was done for the purpose of responding to and meeting this great demand for more rapid river and harbor improvement, and with a view to carrying out as rapidly as possible the policy under which the work was being done. That bill, as I stated a moment ago, adopted 180 new projects to cost the Government $263,000,000. Now, the bill of 1911 did not appropriate so much, nor did it adopt many new projects. In fact, it passed the House without any new projects at all; but in the Senate several were added calling for about $4,000,000 to complete. The bill of 1912, the first one prepared by the Committee on Rivers and Harbors as at present organized, adopted only about $37,000,000 of new projects, while that of 1913 contained approximately $13,000,000, making only $50,000,000 of new projects in all since and including the bill of 1912.

So it is easy to see that this work is not growing, but is on the decrease, as in the very nature of things it should and must be. The large amounts carried in recent bills are to take care of projects heretofore adopted, which we must do or else abandon them, a course, I fancy, no one would counsel.

I have called attention to the large amount, approximately $161,000,000, necessary to complete the projects on three rivers—the Mississippi, the Ohio, and the Missouri. This I did not do for the purpose of criticizing the adoption of those projects, for they all provide for work which Congress at the time no doubt thought ought to be done, and which in the main I yet think ought to be carried to completion as rapidly as Treasury conditions will permit. The lower Mississippi, as has often been said, is in a class by itself, and the sentiment of the country is decidedly, from all appearances, in favor of the continuance of that work. The Ohio River carries an enormous tonnage, which will no doubt be largely increased when the present project is completed. In my judgment it is one of the best of river canalization schemes we have undertaken. As was said to me a short time ago by one of the most prominent Government engineers of the country, if the present plan for the improvement of that river is not meritorious, then there is no canalization project heretofore submitted or now in sight that is meritorious.

We know about the Missouri River project, as it has been discussed and the reasons for its adoption considered on this floor several times within recent years. Originally it required about $20,000,000 to complete, but this amount has been considerably reduced by appropriations made in the various bills since and including that of 1910. True, the river in recent years has not been carrying a large amount of commerce as compared with many other streams, but that was all known and considered when the project was adopted, Congress at the time acting with full knowledge of all the facts.

I know there are some who now criticize that, along with many other projects for which the present Congress is in no wise responsible. Last year, when the 1914 bill was before the House and Senate, criticisms of that measure were quite severe, although they dealt mainly with projects which have been on the books for many years. Now, one so inclined can always criticize a river and harbor bill containing, as each has for the past several years, hundreds of items providing for projects scattered all over the country, some large and some small, and with varying degrees of merit. In fact, no such bill has, perhaps, ever escaped criticism, and I would like to say to those who may think they have a monopoly in that particular field of endeavor that if they will read the debates in Congress on each river and harbor bill during the past 75 years their pride and complacency will be greatly weakened if not entirely destroyed. Especially would I call their attention to the debates in the Senate when the conference report on the bill of 1901 was before that body. There they will see language fully as strong and equally as denunciatory of that measure as any that have been used against this or any recent bill. Though an excellent measure, framed with great care by the Rivers and Harbors Committee, presided over by Hon. T. E. BURTON, it was characterized as an iniquitous measure, "a steal," and as having been "framed, constructed, and completed upon the despicable principle of division and silence."

Now, these criticisms, as a rule, have not been leveled at the larger projects, but the smaller ones. Of course, there have been exceptions. I have one such critic in mind now, to whom I said a little while ago that he seemed to play no favorites, criticizing the larger as well as the smaller projects. But generally the larger ones are passed over while the critic exhausts his vocabulary of wit and denunciation on creeks and small rivers, costing in the aggregate relatively a small sum, and with perhaps ten times more commerce than some of the larger streams the appropriations for which go unchallenged.

Mr. Chairman, I do not object to legitimate criticism, but the wide range taken during recent months in denunciation of waterway legislation is manifestly unjust, because all the projects adopted can not be lacking in merit, even assuming that some are thus lacking, which I do not admit, because all for which we have continued to make appropriations are, as I view them, meritorious and clearly within the policy we have been pursuing for the past 20 years. To be sure, some of them are better than others, but each and all of them can be justified under our present policy. Hence, if one is going to criticize he should direct his criticisms against the policy, because he will make but little headway when in the wide range of denunciation, such as was indulged in against the bill of 1914, he criticizes relatively only a few projects. Calling attention to the lack of merit in a project may be all right when we wish to improve the measure by the elimination of such project or to illustrate the nature of the policy under which a bill is framed, but the main attack, if any, in the latter case should be made against the policy itself.

Now, a word with reference to instances where commerce is shown to be on the decline. Much has been said about what is called a dwindling commerce on certain waterways; but let me say that the fact that commerce is declining on a navigable stream or harbor does not necessarily furnish a reason why the further improvement of such a waterway should be abandoned, as there may be causes of a temporary character for such decline, which, ceasing to operate, the commerce will improve, or the falling off may be apparent and not real, for often statistics are not properly gathered. In a communication addressed to me a few weeks ago the Chief of Engineers called attention to that feature as one of the frequent causes of an apparently diminishing commerce.

Now, there never has been any thorough system devised by the Government for the gathering of commercial statistics, although great improvements in that regard have been made in recent years. The engineers must, in the very nature of things, rely largely upon private persons, commercial bodies, or other local institutions for commercial statistics, as they rarely have the time or the facilities for gathering them. These statistics are sometimes more carefully collected in one locality than in another, and in some years with more care in the same locality than in other years, so that the commerce as reported should be taken for a series of years before any effort at generalization can properly be made. A fair illustration of mistakes sometimes made is furnished in the commerce reports for Hillsboro Bay for the year 1913, where it is given at 1,319,283 tons, which shows an apparent falling off in one year of about 33 per cent, where, as a matter of fact, there has been a large increase. The mistake was evidently unintentionally made by the parties in the vicinity who undertook to gather and report the statistics for the engineer in charge, who has his office at Jacksonville. The commerce should have been given at something like seven or eight hundred thousand, probably a million, tons more, as can be easily shown.

Then, again, it appears that the method of reporting tonnage has been changed at many places during the past few years. Up to six or eight years ago it was the custom to report the registered tonnage of vessels navigating many of our waterways instead of the tons of freight carried by such vessels, and as the registered tonnage of such vessels was always greater than the freight tonnage, the change to the present system naturally resulted in an apparent decrease in the amount of freight carried over such waterways.

Right here I would like to insert so much of the letter of the Chief of Engineers, Gen. Kingman, to which I have just referred as bears upon the subject under discussion. Gen. Kingman says:

* * * Since 1907 the collection of commercial statistics has been conducted with greater care, and, in some cases at least, it is personally

known to me that the commercial statistics of 1907 are not properly comparable with those of 1912. For instance, it is known that, in some harbors up to and including 1907, it was the practice, in reporting commercial statistics, to report the net registered tonnage of vessels entering and leaving the harbor. Since then the practice has been changed to reporting the actual tonnage of freight carried instead of the net registered tonnage. This has resulted in an apparent decrease of commerce, while, as a matter of fact, there has been an actual increase. In some cases it is unquestionably true that there has been an actual decline in the commerce of the improvements reported upon, but to arrive at a general conclusion as to the value of river and harbor improvements by a comparison of the statistics of 10 or 15 or 20 years ago with the statistics of to-day is not entirely safe, as different methods of collection of statistics and greater care in collecting them has resulted in very largely eliminating the padding of the statistics, which sometimes occurred, and in showing the actual amount of tonnage carried rather than the net tonnage of vessels using the waterway.

Now, Mr. Chairman, there is no doubt but there has been a marked decline in the commerce on some of our rivers and harbors, mostly, I may say, on the rivers, for the harbors have usually, though not in every case, shown an increase of freight tonnage. But the fact that commerce has declined on a given waterway does not necessarily furnish a reason for stopping the improvement of such waterway, for the decline may be only temporary and the result of causes which may soon be removed, resulting in renewed activity in the use of such river or harbor. But, of course, the quantity and the value of the freight carried are features always to be considered in determining the merits of a proposition to improve a given waterway.

Again I may say that I think the reports of commercial statistics will be better and more reliable in the future than in the past, as the engineers are now paying closer attention to the matter. Indeed, they have been doing this for the past five or six years. The result is that where an increase was shown up to that time a decrease in some instances is now shown, because of the greater care exercised in gathering statistics. Still, the system is not as yet perfect by any means, though the fault where mistakes occur is rarely, if ever, with the engineers.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield for a question.

Mr. SPARKMAN. Certainly.

Mr. CALLAWAY. I want to ask how this tonnage estimate is made. In studying these figures I have been somewhat puzzled. I want to know if they take the amount of tonnage passing different places, and if it is not a fact that it is duplicated?

Mr. SPARKMAN. Oh, yes; it is duplicated, triplicated, and quadrupled in some cases.

Mr. CALLAWAY. Is it possible to tell how much tonnage there is on a river, from the reports made in these tonnage statistics that we get?

Mr. SPARKMAN. It is very difficult at times, and perhaps in a few instances almost impossible.

Mr. CALLAWAY. I notice that in reference to the Tennessee River the estimate for tonnage on the river is enormous, whereas the tonnage that passes the Muscle Shoals for instance, is practically negligible. I notice the same thing on other rivers. Looking at the Mississippi I find that they have no regular carriage for any distance, but the tonnage on the river seems to be enormous. That is evidently the tonnage taken of boats that pass Memphis, and the same boats that pass Cairo and the same boats that pass other points, duplicated, triplicated, and quadrupled.

Mr. SPARKMAN. That is likely correct in some instances.

Mr. CALLAWAY. I wanted to know if there was any way of estimating it. Have they any possible way of estimating the tonnage carried by the mile; that is, the miles that the tons are carried?

Mr. SPARKMAN. In some places they do so estimate it.

Mr. CALLAWAY. The only proper way to estimate tonnage would be the amount, and then the miles that it is carried.

Mr. SPARKMAN. That is a good way, but not the only way. I think there are many duplications.

Mr. CALLAWAY. Some of the estimates of tonnage is the tonnage that the boat might carry instead of what they actually carry.

Mr. SPARKMAN. That used to be done, but I think it is not the practice now.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. GOODWIN of Arkansas. In replying to my query a while ago, the gentleman stated that the committee had discarded States and made recommendations to conform to the continuing projects. However, a few moments later he spoke of the tonnage being carried on the projects. How uniformly and how equitably, I would like to know, has the committee recommended, or does the bill comport not only as to continuing projects but likewise to the tonnage on these continuing projects?

Mr. SPARKMAN. In framing a rivers and harbors bill we always consider the question of freight tonnage. The question of value also enters into the matter. The first thing, however, I should say, is to consider the matter of tonnage, then the value and nature of the freight carried, together with the probabilities as to future growth.

Mr. GOODWIN of Arkansas. Has that actuated the committee largely in the framing of the bill?

Mr. SPARKMAN. Yes; but we consider other things, such as the development of the surrounding country, and the stimulus it may furnish to productive energy—all those things enter into it.

Mr. GARNER. Will the gentleman yield?

Mr. SPARKMAN. Certainly.

Mr. GARNER. The difficulty that the gentleman says in ascertaining the correct tonnage on the rivers does not apply to harbors, because you can collect the statistics of that tonnage?

Mr. SPARKMAN. Yes; that is quite possible in most cases.

Mr. GARNER. May I ask as to the policy of the committee, whether or not you adopted a policy as to new projects? The gentleman has stated that this bill does not carry any new project.

Mr. SPARKMAN. No new projects.

Mr. GARNER. This is for continuing work already gone into by Congress. Has your committee decided definitely upon a policy of continuing present projects to the exclusion of new projects in the future?

Mr. SPARKMAN. No; we have gone no further than this bill.

Mr. GARNER. This is based on a policy for this session of Congress only?

Mr. SPARKMAN. For this session only.

Mr. FOSTER. Will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. FOSTER. On that subject can the gentleman inform the committee how many new projects there are and the amount estimated to complete them which have been already reported favorably by the Board of Engineers?

Mr. SPARKMAN. Something in the neighborhood of 100, in round figures.

Mr. FOSTER. To cost how much money?

Mr. SPARKMAN. The new projects favorably reported but not yet adopted call for, to complete, $101,000,000, in round figures.

Mr. FOSTER. In this bill you provide for surveys amounting to something between 100 and 200 items

Mr. SPARKMAN. One hundred and seventy-two.

Mr. FOSTER. So that you have an amount of $100,000,000 reported favorably by the Board of Engineers, but in this bill you provide for the surveys, which amount to 172 projects.

Mr. SPARKMAN. Yes.

Mr. FOSTER. So that if this $100,000,000 was added that would make $350,000,000, the amount that would be paid by the Government for river and harbor improvements if they were all taken on.

Mr. SPARKMAN. If they were all taken on, yes; but I want to say that it is hardly probable that anything like all of them will ever be adopted. Then, again, it is not at all likely that anything near all the surveys ordered in the bill will receive favorable consideration at the hands of the engineers. Of recent years not more than 40 per cent of those ordered have been reported favorably to Congress, and this percentage is likely to diminish rather than increase in the future. The tendency is that way.

Mr. COOPER. Mr. Chairman, there ought to be something said right at that point, because without any explanation the reader of the RECORD might understand that those three hundred and odd million dollars are to be paid in one year. That expenditure would cover possibly a period of from 8 or 10 to 25 years.

Mr. SPARKMAN. That would depend upon the humor of Congress. But at the rate we have been going on the appropriations would about cover that period.

Mr. COOPER. They would not, of course, expend $300,000,000 in one year.

Mr. FOSTER. There has been an effort to make contracts for the whole amount of the improvements. They wanted to establish that sort of policy.

Mr. GARNER. Oh, no.

Mr. FOSTER. That has been talked of, that that was the cheaper way of doing it.

Mr. SPARKMAN. It has been talked of, but it is not likely to be done.

Mr. GOULDEN. Mr. Chairman, the gentleman from Illinois has asked one question which I desired to ask, and the gentleman from Florida has answered it, but I have another that I desire to propound. What number of projects are covered in the present bill, none of them being new?

Mr. SPARKMAN. About 80 projects, for which appropriations are being made to carry on original improvements. There are more than that, however, for which appropriations are being made to cover maintenance.

Mr. GOULDEN. If the gentleman could tell us, I think it would be of interest to know how much is appropriated for continuing projects and how much for maintenance.

Mr. SPARKMAN. The amount is about $4,000,000 for maintenance, while the balance is for work of original improvement.

Mr. GOULDEN. Then the remaining $30,000,000 are practically for projects now under way?

Mr. SPARKMAN. Yes.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. HUMPHREYS of Mississippi. Just one suggestion in answer to the question of the gentleman from Texas [Mr. GARNER] as to the ease with which tonnage statistics can be gathered at harbors. That is true, but statistics at harbors also represent duplications. In fact, all of the coastwise tonnage of the United States represents duplications.

Mr. GARNER. But where you have a harbor like New York or Galveston there is no possibility of duplication at those points.

Mr. HUMPHREYS of Mississippi. If it is foreign commerce coming into this country it is not duplicated, but if the tonnage originates at one port in this country and enters into another, it is credited to each port.

Mr. GARNER. One of them is export and the other is import.

Mr. HUMPHREYS of Mississippi. Yes; but without the improvement it could not be shipped from one port into another.

Mr. SPARKMAN. The gentleman from Mississippi is dealing with coastwise commerce.

Mr. HUMPHREYS of Mississippi. Yes; entirely.

Mr. GARNER. Mr. Chairman, may I come again to the policy of the committee as being the policy of the House of Representatives. If I understand the gentleman from Florida, he objects, and I think justly so, to the criticism of the committee's work in bringing in a bill containing certain items until Congress itself has changed the policy of Congress as applied to these various items.

Mr. SPARKMAN. That is partly correct; but I wish to add that I was not objecting so seriously to criticism of a single project if it is so lacking in merit as to fall outside the policy under which the bill is framed. If it is within that plan it is the policy that should, I think, be criticized.

Mr. GARNER. If I understand the gentleman, he and his committee are carrying out what they believe to be the sentiment of this House as applied to the various projects contained in the bill. In other words, it is a policy that has been framed and adopted by the House of Representatives and the Senate.

Mr. SPARKMAN. Yes; though not formerly adopted, but a policy we have been pursuing for the past 19 years.

Mr. GARNER. And if it is the desire of the people throughout the United States through their Representatives to change that policy, the River and Harbor Committee, of course, will be very glad to carry out whatever policy their colleagues may determine upon.

Mr. SPARKMAN. Yes.

Mr. HUMPHREYS of Mississippi. We would be forced to, whether we would be glad to do it or not.

Mr. GOODWIN of Arkansas. Mr. Chairman, if two projects are equally meritorious, and one has been cared for and the other has been disregarded, one being cared for almost up to the recommendations of the department, does the gentleman think that the Committee of the Whole should not criticize that discrimination?

Mr. SPARKMAN. Oh, I think we ought to be criticized whenever we do wrong.

Mr. GOODWIN of Arkansas. I am not speaking about the recommendations of the committee, but I understand the gentleman thinks the bill should not be criticized.

Mr. SPARKMAN. Oh, I would not like to be understood as saying that. I simply suggested that we were not making much headway in merely criticizing the adoption of a project clearly within a policy we have been pursuing.

Mr. GOODWIN of Arkansas. But the gentleman confesses that the committee should stand ready to give light.

Mr. SPARKMAN. Oh, always. We are not above criticism. In fact, I think it is a good idea to be criticized at times. I now yield to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE. The gentleman from Florida finds in his experience as chairman of the Committee on Rivers and Harbors, does he not, that new Members of the House sometimes press, and very rightly, for the adoption of projects which are new?

Mr. SPARKMAN. Oh, yes.

Mr. MOORE. Well, the gentleman would not question the right of a Member of Congress to urge the introduction in a river and harbor bill of a project which he thought was worthy?

Mr. SPARKMAN. No; any Member has a perfect right to, and it is his duty if he thinks he should urge the adoption of a project which he may deem meritorious. I hope we may never reach the point where an individual Member is not to be heard in the interest of his constituents on this floor.

Mr. MOORE. Is it not a fact that when the committee adopts the policy of carrying on only existing projects and refuses to consider new ones, that to that extent it does preclude the right of Representatives in Congress to have a hearing with respect to their particular projects?

Mr. SPARKMAN. I would not think that by any means, because any Member will have the right when we reach the consideration of the bill under the five-minute rule to offer amendments to insert any new project he thinks ought to go in. Then it is for the House to determine whether or not it shall be adopted.

Mr. MOORE. The gentleman would not regard that sort of an offer on the part of a Member to do that much for his constituents as an undue criticism of the policy of the committee?

Mr. SPARKMAN. By no means.

Mr. MOORE. Now, may I ask the gentleman this, following up the inquiry made by the gentleman from Texas [Mr. GARNER], why, if the gentleman will state it, does the committee at this particular time adopt a policy of taking on no new projects?

Mr. SPARKMAN. It was done in the interest of economy. We thought that in view of Treasury conditions brought on by the European war, making it necessary to levy additional taxes, it was not right at this time to take on new projects, although some of them are highly meritorious and very urgent.

Mr. MOORE. It is not due, then, to the fact there may be a filibuster somewhere in this House or in another body that would threaten to defeat the bill——

Mr. SPARKMAN. No.

Mr. MOORE (continuing). In other words, this committee in the adoption of this policy of no new projects is acting upon the theory that we have to economize in these expenditures. It is not acting as the result of a fear that the bill may be defeated?

Mr. SPARKMAN. If Treasury conditions had justified, I dare say we would have adopted new projects. Just how many or which ones I could not say at this time, but there are a great many of them, or at least a number of them urgent, and ought to be taken care of as early as conditions will justify.

Mr. MOORE. I hope the gentleman will not take offense at my stating, in passing, that as one Member who has taken considerable interest in river and harbor matters, I believe this question of new projects should originate in the House, and that the House ought to be heard on all of these matters and every individual Member ought to be considered irrespective of any possible threats in any other body.

Mr. SPARKMAN. I think that is correct. I now yield to the gentleman from Connecticut [Mr. REILLY].

Mr. REILLY of Connecticut. The gentleman speaks of a policy that has been in vogue for 19 years. Now, some of us have not been here for 19 years, or will be here for 19 years——

Mr. SPARKMAN. More is the pity.

Mr. REILLY of Connecticut (continuing). Or for a very much longer period, and for the benefit of some of the new Members, would the gentleman explain what that policy is? Would the gentleman briefly state what this 19-year-old policy is?

Mr. SPARKMAN. Well, I said it was a policy, although it has never been promulgated by any legislative or other formal declaration; but the country has understood it and Congress has understood it. It may be defined as the improvement of all commerce-bearing streams and waterways to their full navigable capacity as rapidly as Treasury conditions will permit. That is about as clear as I can state it.

Mr. GOODWIN of Arkansas. Now, will the gentleman yield to me?

Mr. SPARKMAN. Certainly.

Mr. GOODWIN of Arkansas. Did the war or the present state of the Treasury impel the committee to recommend only about 3 per cent of the estimates on certain continuing projects

and about 95 per cent as to other projects, the two classes of projects being apparently equal as to merit?

Mr. SPARKMAN. I will say to the gentleman that Treasury conditions had a good deal to do with any cuts we made; not everything, perhaps, but it was one of the leading factors. It had a great deal to do, for instance, with the cutting off of more than $500,000 recommended for projects inside the State of Florida. It had a good deal to do with the cutting out of the amount recommended for the Kissimmee River, a stream that my friend from Wisconsin [Mr. FREAR] criticized last year; not that the river is not deserving, for it is; but the engineer, when we were preparing the bill, thought the amount recommended was not needed in this bill, and we left it out, just as we left out about $500,000 for other projects in that State.

Mr. GOODWIN of Arkansas. I wanted to know what the war or the State of the Treasury had to do with the apparent discrimination between certain projects on their face equally meritorious, which resulted in giving to one project about 3 per cent of the engineers' estimates and the others about 95 per cent. I did not know how the committee would reconcile these two apparently irreconcilable facts.

Mr. SPARKMAN. We will reach that later in the discussion under the five-minute rule, and then I shall be very glad to explain any apparent neglect on our part.

Mr. REILLY of Connecticut. Just another question, if the gentleman will permit.

Mr. SPARKMAN. Yes.

Mr. REILLY of Connecticut. You referred to the tonnage a short time ago. In figuring upon tonnage do you include logs floating down a stream in 2 or 3 feet of water as well as 20 feet of water? Do you include that?

Mr. SPARKMAN. Oh, yes; we include that, but that is a very low class of commerce, relatively speaking.

Mr. FREAR rose.

Mr. GARNER. You not only consider the tonnage, but the value of it?

Mr. SPARKMAN. Yes; the value of it is taken into account. Now I will yield to the gentleman from Wisconsin [Mr. FREAR], if he desires.

Mr. FREAR. On taking advantage of the kind invitation of the chairman I wish to express myself as having been extremely satisfied with the courtesies extended to me by the committee heretofore. I wish to ask why the Kissimmee River was left out of the bill by the Senate, now that that matter has been brought up, as well as the Altamaha and other rivers. What was the purpose of the Senate in dropping those projects, although they increased the amount by $10,000,000?

Mr. SPARKMAN. I could not with authority answer that question. If it were parliamentary to do it, I could state what I was told was the reason. I fancy, however, it was not because they were lacking in merit.

Mr. FREAR. I was only asking that question as a genuine inquiry, because I have no idea myself but what is shown on the record.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. STAFFORD. In August last, as the gentleman from Florida remembers, the Chief of Engineers, in response to a Senate resolution, made a report that showed that there was $18,000,000 available for the support of various projects throughout the country as of date June 30 of last year. I wish to inquire whether there is any document or figures available showing how much money is now available for river and harbor improvements on various projects, including the $20,000,000 emergency appropriation that was voted last year?

Mr. SPARKMAN. I have no figures myself, but I think they could easily be obtained.

Mr. STAFFORD. The gentleman does not mean to say that the committee has acted in the preparation of a river and harbor bill without knowing how much money is available on these various projects?

Mr. SPARKMAN. I will say to the gentleman that we began the preparation of this bill somewhere about the 20th of November last—somewhere about the latter part of November—and we had estimates up to the 1st of November. I do not think those estimates have ever been tabulated or the figures footed up, but we had them before us when dealing with the respective projects. These figures showed how much was on hand for each work on the 1st of November.

Mr. STAFFORD. Can the gentleman inform the committee generally how much that amount was on the 1st of November last? There was $18,000,000 on July 1, and then we added about $20,000,000 more.

Mr. SPARKMAN. There was about $18,000,000 available when the $20,000,000 bill was passed, which, deducting about $2,000,000 for maintenance, left about $18,000,000 for works of improvement. However, that perhaps does not answer the gentleman's question.

Mr. STAFFORD. No. I was seeking to obtain a report similar to that which the Chief of Engineers furnished to Congress in response to the resolution of the Senate, calling upon them to tell what balances remained to the credit of the various projects.

Mr. SPARKMAN. That was about $38,000,000 in all, including the $20,000,000 appropriated in the 1914 bill, but they have expended a good deal since that time. We have only dealt with individual projects in preparing this bill, and I have not figured out the exact amount still available for all the projects, which, by the way, would not be easy for the committee to do.

Mr. STAFFORD. But we did not appropriate that $20,000,000 until late in the fall, and, considering the bad weather that has intervened, a great deal could not have been spent during the winter, although the gentleman has said that a great deal of it was to be expended in the South, where winter conditions do not have to be combated. Will the gentleman at some time, whether under the five-minute debate or otherwise, submit a report on that line for the information of the Members?

Mr. SPARKMAN. I will try to do that. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has six minutes.

Mr. SPARKMAN. I have taken more time than I intended or thought I was taking.

Mr. J. M. C. SMITH. Mr. Chairman, will the gentleman yield for a short question?

Mr. SPARKMAN. Certainly.

Mr. J. M. C. SMITH. I see that a good deal of the appropriation is for maintenance. Will the gentleman explain what is meant by maintenance?

Mr. SPARKMAN. By maintenance is meant the preservation of a work in its completed condition. The term applies primarily to completed projects, though it may and sometimes does embrace partly completed projects. An appropriation for maintenance is to prevent deterioration in work already completed.

From questions propounded to me since I began, as well as statements made in a few of the newspapers, I infer there is a feeling that the Committee on Rivers and Harbors has discriminated against projects in States not represented on the committee in favor of those who are so represented. It is a matter of regret, to me at least, that such insinuations are made, as nothing can be further from the facts, for no new projects have been adopted in this bill, whether located in or out of the States or districts having Members on the committee. So there can certainly be no discrimination there.

As I have said, nothing but old projects are provided for in this measure, and each has been treated alone on its merits. True, the estimates furnished by the War Department have been severely cut, some more than others, and those in some States, taken as a whole, more than those in other States, but in the process of pruning we have not been governed by favoritism in any case. On the contrary, we have been controlled in nearly every case by the advice of the engineers, and in all cases by what appeared to be the urgency and the relative importance of the work. These have been the rules and the only rules by which we have been governed in dealing with the projects everywhere, including those in the State of Florida, in whose borders there are 31 projects and 2 partly within her limits, for which estimates were made amounting in all to $1,499,500, or about 36 per cent. This reduction left for all the Florida projects $975,000, only about $184,000 of which goes into the district I represent here, with its 16 projects and 5,000,000 tons of water-borne commerce. I may add that there is only one State having a larger commerce than Florida where the engineers' estimates were cut more severely, and that State has a Member on the committee.

Now, I have mentioned the State of Florida especially, as it apparently has come in for as great a share of criticism on the alleged ground of favoritism as any other represented on the committee. I may further remark that the estimates for the projects in every State having a representative on the committee were reduced except in the case of one, and that only received $77,500, while there were four of those not so represented whose projects received the entire amounts recommended in the Book of Estimates. But why, Mr. Chairman, pursue this any further? No one with adequate knowledge of the facts would make any such charges or believe them if made.

Mr. Chairman, I have called attention to the fact that the criticisms of recent river and harbor legislation, or attempts at legislation, while taking a range involving the policy followed by Congress in the treatment of our navigable water-

ways, have dealt more with individual projects than the policy under which these projects were adopted. These critics have done this without undertaking to suggest a better plan. Now, Mr. Chairman, no one is justified in destroying a great system of internal improvement like that under which our navigable waterways have been developed without offering a better one to take its place. There is, in my judgment—and I think in the judgment of a majority of the people of the country—much to commend in our present system, which has accomplished a great deal for the people and the commerce of the country. Certainly a policy which has fitted hundreds of harbors on ocean and lake and gulf, and upwards of 26,000 miles of navigable rivers, for the accommodation of modern commerce, that has stimulated the growth of our water-borne commerce until, from small beginnings, it has reached the enormous proportions of more than a billion tons annually, is not altogether bad. So the people have a right to ask of him who would destroy, Give us something better in lieu of that you would abolish. But as yet no plan has been offered, or even suggested, by the critics of river and harbor legislation to take the place of our present system. True, one has been recommended by a distinguished United States Senator which would unite conservation schemes, flood-protection plans, and other reclamation propositions with river and harbor improvement, and would require the appropriation of the large sum of sixty millions annually for 10 years to be turned over to a board, to be spent upon the improvements thus to be combined and made. But nothing definite up to this hour has been suggested by our critics to take the place of the system the logic of their criticism would destroy. Of course I appreciate their difficulties, but these obstacles do not excuse them, for he who would destroy a system of waterway improvement under which three-quarters of the work necessary to place all our harbors and navigable rivers in such condition as will enable them to do the business demanded by modern commerce has been accomplished, a plan which for years has met the approval of the public—I say one who would destroy such a system should give the people a better one in its place. At least something should be suggested for the policy their logic would destroy.

Of course we can curtail our activities even under the present policy, though it may be difficult to draw the line between projects, all more or less worthy, but which come to us with varying degrees of merit. Yet while conditions demand retrenchment, as they now do, we will have to curtail our work. Just how this is to be done or where the line is to be drawn is something we need not discuss now. All these questions can and will be settled in the future as we approach them. In the meantime, if there is any item or items in this bill that ought not to be here, let them be eliminated. That is our privilege and our duty.

Now, Mr. Chairman, I believe in economy both in individual and governmental expenditure, but parsimony is not always economy, whether practiced by persons or by governments, and I do not believe it would be economy to stop work on such of our rivers and harbors as are now under treatment and are worthy of further improvement. Nor would I be in favor of materially curtailing the work on such projects. On the contrary, I think it economy in the very highest degree to complete them as rapidly as possible; and that, I may add, is what the people who are demanding this work understand by the word "economy." They will never criticize us for money necessarily and judiciously expended in giving them better transportation facilities; nor are they going to be frightened or abate their demands on us by the cry from certain quarters of "pork barrel" in connection with our river and harbor legislation, for well they know there is no truth in such claims, and I may add that it is an insult to their intelligence to charge or even suggest that our river and harbor bills are framed upon any such principle.

Now, Mr. Chairman, we have done the best we could with this bill. Admonished at the outset that because of existing revenue conditions we must cut the appropriations wherever possible and to the lowest limit consistent with the absolute necessities of the respective works, our task, confronted as we were with 150 or 200 projects, scattered all over the country, demanding attention, has not been an easy one. But we have done the best we could under the circumstances and have tried to be fair with each and every project. We believe we have presented to the House a clean as well as a conservative measure, and we hope it may meet the approval of this body. [Applause.]

Mr. HUMPHREY of Washington. I yield 20 minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE. Mr. Chairman, the Rivers and Harbors Committee attempts to meet objections of certain economists by limiting appropriations to existing projects and holding back appropriations for other projects that are essential to commerce and the safety of the country. At the present time I do not think this is wise policy. We are now in a position, favored above all nations, to promote our own welfare and to build up and sustain our national resources, and it is bad business to stop work upon our rivers and harbors which contribute so much of our commercial activitity and which add so much to our revenue. It would seem, indeed, as if this were the one time above all others to take advantage of our opportunities and to encourage our people to continuous and profitable employment.

I shall not attempt to analyze the bill that is now before us with that critical eye which looks for the little rivers where a few thousand dollars are to be spent and overlooks the great projects were millions are assured, except to say that it is noticeable, even though most of the objections to the bill come from the States of the interior, that there is no disproportionate diminution of appropriations for the great interior projects. They are cared for as usual, because they enjoy the good fortune to have been begun; that is to say, money has already been expended upon them and they are not "new projects." It is the coast line that suffers the most from "the economy" in the bill; that coast line where the greatest commerce exists and where there would be the greatest national need for improved harbors and waterways in the event of war.

It may be true that losses incurred through last year's filibuster on great projects, like the deepening of the Hudosn and Delaware Rivers, have been partially made up from the lump-sum compromise of $20,000,000, and that the bill now before us provides new appropriations to continue the work. The fact remains that certain improvements demanded for the great revenue-producing port of New York are not taken care of in the bill, the New London harbor project is left out, and the Chesapeake & Delaware Canal proviso is also omitted. With respect to this latter project, that very numerous body of American citizens along the Atlantic seaboard from Maine to Florida, who believe the Government should make free to the public the waterway between the Delaware and Chesapeake Bays, is denied even the year's advantage it would obtain in the institution of court proceedings to ascertain the value of the existing canal property. It is much to be regretted and is surely not in accord with good public policy that the commercial necessities of so large a proportion of our people should be so persistently set aside.

Notwithstanding what the bill does not contain, however, I intend to support it. It provides for many worthy projects, which if delayed or defeated by another filibuster would result in great loss to the Government and to the commercial interests. The defeat of the bill at this time would also leave many of our harbors and streams which do not happen to be "new projects" in a deplorable condition in event they should be needed for military or naval purposes. I shall support the bill also for what some of its critics may assume to be a local reason. The bill carries an appropriation of $1,500,000 for continuing the improvement of the Delaware River and for maintenance, from Allegheny Avenue, Philadelphia, along Pennsylvania, New Jersey, and Delaware to the sea. This project is not solely for the benefit of Philadelphia and Pennsylvania, although they have spent as much upon it as the Federal Government has, but the Government itself is committed to the improvement and maintenance of this stream, and needs it for reasons that are self-evident.

The port of Philadelphia is now second in tonnage on the Atlantic coast. It has always been and always will be a great port. It has acquired this proud position through having a channel 30 feet deep and an approved project to carry it forward to 35 feet. The 35-foot project was authorized in the river and harbor act of June 25, 1910, the estimated cost being $10,020,000, and the report of the Army engineers justified the hope that the work would be completed in six years from that time. I shall not argue with those who think the sum is large, except to say that for many years past the port of Philadelphia, through the Delaware River, has been one of the best revenue producers of the country. If it costs approximately $11,000,000 to improve such a river, it must be credited with annual customs receipts ranging from $17,000,000 to $21,000,000, which receipts for any one year would be equal to all the money the Federal Government has spent upon the Delaware River since Daniel Webster, in his celebrated reply to Hayne, referred to the uncompleted Delaware Breakwater which still stands at the mouth of the bay. And if it be charged that the cost of maintenance amounts to $300,000 per annum—I wish the gentleman from Michigan [Mr. J. M. C. SMITH], in view of his inquiry of the gentleman from Florida, would listen particularly to this—it should also be remembered that railroad tracks

wear out and must be replaced, that macadam roads disintegrate and must be reconstructed, and that rivers fill up and must be kept in order, if they are to continue in the public service.

But apart from business and financial considerations, it is important to the Government as well as to the people that work upon the Delaware River shall be hastened. The recent filibuster cutting out the regular appropriations for 35-foot channel work not only hampered the commercial interests which bring in a great revenue to the Government through the river, but added greatly to the perplexities of the War and Navy Departments with respect to the shipments of coal from the Pennsylvania mines. The War Department has one of its most important arsenals on the Delaware River at Philadelphia, and the Philadelphia Navy Yard is the one great fresh-water station of the Navy Department. It is not disputed that these Government stations have a great advantage over other stations in the matter of skilled labor, fuel supply, adaptability of service, and all-around economy. It is of great importance to the Government that it can send its vessels into fresh water for storage or repair. It is also essential that they shall have easy access to the coal supply. Recent tests of bituminous coal from Pennsylvania have proven its acceptability to the United States Navy, and contracts for delivery at Philadelphia indicate that the Navy can do business at the port of Philadelphia with profit to the Government. But questions of navigation have arisen which threaten to do the port an injustice and place the Government at a considerable loss. I will not now discuss the question of coal for steaming purposes or the proficiency of naval captains or pilots to safely navigate a river, but I do desire to draw attention to the fact that in the matter of certain coal shipments recently made the port of Philadelphia has suffered in the interest of other ports having a channel depth of 35 feet. It is neither just nor prudent that any further economy in appropriations should be practiced upon the Delaware River.

And here I pause for a moment to say that I believe not less than 700,000 tons of coal for use by the Government are now involved, and that at a cheaper cost from Philadelphia than the Government would incur at any other port.

It may be of no concern to the War or Navy Departments that a foreign vessel navigated by a foreign captain, carrying cargo to or from the port of Philadelphia, shall run his "nose" aground in a narrow channel, but it is important to these great departments of the Government that our own vessels shall be able to reach our own navy yards and our own coaling stations without hindrance or delay. Testimony recently given before the Committee on Naval Affairs presents an unusual condition with regard to the matter of coal. In order to circumvent what was believed to be a combination to control the price of coal delivered at Norfolk, the Secretary of the Navy discovered a new source of coal supply in Pennsylvania. It could be delivered cheaper at the port of Philadelphia than elsewhere. One of the great colliers of the Navy came up to Philadelphia and departed with a load of this coal. Now we hear that channel depths are again under discussion in the departments, and that coal that should have been shipped from Philadelphia may be shifted to other ports at an increased expense to the Government. Is the Government to lose its advantage in the price of coal and in the rates of freight because the 35-foot channel of the Delaware has not been completed from Allegheny Avenue to the sea? If this is the penalty for too much economy, what would be the cost should vessels of the Navy have to coal hastily for purposes of war?

Out of the lump appropriation of $20,000,000 evolved from the filibuster, only $1,000,000 was allotted to the Delaware River. It was necessary to take the maintenance cost out of that sum and then use much of it to catch up with the work that had fallen back two months while the filibuster was on. Thus $700,000 or less became available for actual work on the project until a new appropriation is made. It was a costly delay. Further delay would be even more costly. The plans of the Army engineers contemplated appropriations at the rate of approximately $2,000,000 per annum. This would have been sufficient to complete the work in six years. That is what we expected and desired, but the $2,000,000 a year was not forthcoming, and now we are told that at the present rate of appropriations there will be further delay and a greater expenditure than was originally contemplated. It is evident, therefore, that small and intermittent appropriations can have but one result—delay and waste. Against this kind of economy I earnestly protest.

The Delaware River is worth all the Government has spent upon it and much more. There is no other river in the United States that equals it in commerce and tonnage, nor is there another river so extending inland that is of greater concern to the Army and the Navy. [Applause.]

Mr. J. M. C. SMITH. Will the gentleman yield?

Mr. MOORE. Yes.

Mr. J. M. C. SMITH. The gentleman states that the tonnage on the Delaware River exceeds that of any other river.

Mr. MOORE. I mean any other inland river.

Mr. J. M. C. SMITH. Has the gentleman considered the amount and value of the tonnage on the Detroit River?

Mr. MOORE. I do not regard that as an inland river. It is merely a passageway between two great bodies of water where the ships must concentrate. If we went into that, it would be necessary for me to call upon the gentleman to show the value of the tonnage that goes through, which is mainly iron and copper ore or other dead weight, which makes a great tonnage. Placed in contrast with the valuable commercial tonnage of a river like the Delaware the latter would not suffer.

But to continue, Mr. Chairman, and to conclude, doing the best they can with appropriations thus far made, the Army engineers report that but 26 per cent of the work of the new channel of the Delaware has been completed. It is not fair to thus handicap so serviceable a port for a period of years, when competative ports along the coast have already attained a depth of 35 feet. The city and State are doing their part to care for the commerce of the port, and it is not unreasonable to urge the Government to save its own money, facilitate its own business, and increase its own revenues by keeping its own contract to complete the 35-foot channel for its own use. [Applause.]

Mr. Chairman, I have only one word more to say, and that pertains to the broad subject of economy that the River and Harbor Committee proposes to practice in this instance. I do not believe that it is wise policy to practice this kind of economy just now with respect to new projects absolutely essential to the commercial or national welfare. The chairman says it is economy, but should it appear that this great committee has become scared at the announcement that the bill may be defeated by one or two men who threaten to oppose it here or elsewhere, it seems to me that some of us should speak out in protest. The great body of the Members of this House want truly to represent their constituents, and they have the right to speak for those projects that are of interest to the people of their States. I for one do not propose to waive my right to speak for the people of my State.

And as to economy, the chairman tells us that is the reason the new projects are to be cut out—I want to say for the benefit of these economists, some of whom preach peace and vote for all kinds of appropriations for their own localities, that whereas we have in the last 40 years appropriated out of the money of the people over $2,000,000,000 for the maintenance of the Navy and fully $2,000,000,000 for the maintenance of the Army, and more than $4,500,000,000 to pay pensions to the old soldiers—all we have spent on the business-making, revenue-creating, employment-giving, nation-protecting water carriers of the country has been $693,000,000. When placed side by side with the enormous but seemingly insufficient appropriations that have gone into munitions of war, into the construction of defenses and battleships, and the payment of pensions which are so well deserved, the amount that has been grudgingly given to the commerce of the country for the purpose of creating business, developing our natural wealth, and giving employment to labor has been a sorry pittance. [Applause.] Mr. Chairman, I yield back the balance of my time.

Mr. HUMPHREY of Washington. Mr. Chairman, how much time does the gentleman from Pennsylvania yield back?

The CHAIRMAN. Five minutes.

Mr. SPARKMAN. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. GOULDEN].

Mr. GOULDEN. Mr. Chairman, the bill now under consideration is one that has attracted much attention all over the country. It carries $34,138,558, $14,894,438 less than the Government engineers and the department recommended.

Perhaps some of the criticism leveled against it in the past may have been justified. In my 10 years' service in this House, and as one deeply interested in the improvement of our waterways, having several navigable streams in the district that I have the honor to represent, no graft—commonly styled "pork-barrel" legislation—has been in these river and harbor bills so far as I was able to discover. True, some appropriations, small sums, appeared from time to time for the improvement of certain streams comparatively unknown, but that did not prove them to be unworthy of consideration.

In my experience and observation I have descerned but few items that might be considered objectionable. The amounts thus appropriated were relatively small. Even if objectionable and unnecessary, it does not justify the wholesale criticism made against the bill. In my section the famous East River and

Bronx Kills, the Harlem River, the Hudson River, and the Bronx River projects, among the most important navigable streams in the country with a very large commerce, have been seriously crippled by the failure of last year's bill as it went to the Senate. Not only has it had this bad effect, but it has held up great necessary public improvements of the city of New York. The failure of the measure of 1914 worked a great injustice not alone to the metropolis but elsewhere. No one felt the necessity for economy at that time more than the speaker, but this was not the place to begin. It was too far-reaching, too damaging in its results. It held up the improvement in the Harlem River for which the State of New York has appropriated $1,000.000 for the right of way to improve the channel and the opening of a safe and short passage into Long Island Sound through the Bronx Kills, less than a mile in length, avoiding the dangers of Hell Gate, both vitally necessary to accommodate the commerce of the new Erie Barge Canal.

The East River project with the other two just mentioned and approved by the United States engineers, all of deep interest to the great Northwest and the New England States, as well as to the city and State of New York, were lost—at least retarded—by the action of the other legislative body of the Congress. That, too, in the face of the well-known fact that the leader of the opposition in the Chamber at the other end of the Capitol was thoroughly familiar with the projects named as well as the others at the port of New York, that furnishes one-half of the revenues for the support of the Government.

I want to say, in closing, that in my judgment the bill as it passed the House in 1914 should have become a law. The amount cut out of the measure affected many meritorious and needed improvements, crippling the needs of navigation and the demands of commerce beyond the calculation of those best informed on the subject. Not only this, but in these times of depression it kept many in idleness and their families in want. The harsh criticisms of the press, especially of my own city, has aroused a bitter feeling against the meritorious projects of the port of New York, making it far more difficult to secure the amount so badly needed and to which they are justly entitled.

I hope that this year's bill, as reported by the committee, will pass both Houses and become a law. [Applause.]

Mr. SPARKMAN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RAINEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 20189, the river and harbor bill, and had come to no resolution thereon.

ADJOURNMENT.

Mr. SPARKMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 53 minutes p. m.) the House, in accordance with its previous order, adjourned until to-morrow, Tuesday, January 12, 1915, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Acting Secretary of the Treasury, transmitting copy of a communication of the Secretary of the Interior submitting supplemental estimates of appropriation for the fiscal year 1916 for continuing the construction of the Blackfeet, Flathead, and Fort Peck irrigation projects, in Montana, and for the second installment on account of the storage water right provided in the Indian appropriation act approved August 1, 1914 (38 Stat., p. 605), for the irrigation of Indian allotments and the Yakima Indian Reservation in the State of Washington (H. Doc. No. 1481); to the Committees on Appropriations and Indian Affairs and ordered to be printed.

2. Letter from the chairman of the Interstate Commerce Commission, transmitting the report of its Chief of the Division of Safety for the fiscal year 1914, calling particular attention to that part of the report relating to investigation of safety devices under the provisions of the urgent deficiencies act, Public, No. 32; and also a typewritten copy of the report of the commission's Chief of the Division of Safety concerning a test of the Gray-Thurber automatic train-control system (H. Doc. No. 1482); to the Committee on Interstate and Foreign Commerce and ordered to be printed with illustrations.

3. Letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting additional matter and specifications in connection with his estimate of appropriation in the sum of $250,000 for the protection of lands and property in the Imperial Valley, Cal. (H. Doc. No. 1476); to the Committee on Appropriations and ordered to be printed.

4. Letter from the Secretary of the Treasury, submitting a statement correcting House Document No. 1228, Sixty-third Congress, third session, relative to number of typewriters purchased, etc., during the first three months of the current fiscal year by the Treasury Department (H. Doc. No. 1483); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. TALCOTT of New York, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 6839) extending the time for completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912, reported the same with amendment, accompanied by a report (No. 1271), which said bill and report were referred to the House Calendar.

Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 20418) to authorize the purchase or construction of six new vessels, with all necessary equipment, for the Coast and Geodetic Survey, and providing for additional surveys by the Coast and Geodetic Survey, reported the same with amendment, accompanied by a report (No. 1272), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BRYAN, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (S. 4854) to authorize the establishment of fish-cultural stations on the Columbia River or its tributaries in the State of Oregon or Washington, or both, reported the same with amendment, accompaniel by a report (No. 1273), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. NORTON, from the Committee on Indian Affairs, to which was referred the bill (S. 5255) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Sisseton and Wahpeton Bands of Sioux Indians against the United States, reported the same with amendment, accompanied by a report (No. 1274), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FERRIS: A bill (H. R. 20777) providing for the fencing of a cemetery of the Apache, Kiowa, and Comanche Indians in Oklahoma; to the Committee on Indian Affairs.

By Mr. GORMAN: A bill (H. R. 20778) to regulate the exportation of foodstuffs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TRIBBLE: A bill (H. R. 20779) to prohibit the intermarriage of persons of the white and negro races within the United States of America; to declare such contracts of marriage null and void; to prescribe punishments for violations and attempts to violate its provisions; to the Committee on the Judiciary.

By Mr. GALLIVAN: A bill (H. R. 20780) to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. HOBSON: Joint resolution (H. J. Res. 400) to establish an investigating peace commission; to the Committee on Foreign Affairs.

By Mr. KAHN: Resolution (H. Res. 702) directing the Secretary of War to transmit to the House copies of all documentary information in connection with the rates on deck loads passing through the Panama Canal; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOWDLE: A bill (H. R. 20781) granting an increase of pension to William F. Doran; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20782) granting an increase of pension to Magdalena Kleisler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20783) granting an increase of pension to Louisa Sebexen; to the Committee on Invalid Pensions.

By Mr. BROWN of New York: A bill (H. R. 20784 granting a pension to Emma J. Crocker; to the Committee on Pensions.

By Mr. DOOLITTLE: A bill (H. R. 20785) granting a pension to Missouri L. Black; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20786) granting an increase of pension to Lucy L. Laymon; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 20787) granting a pension to Wilhelmina Taylor; to the Committee on Invalid Pensions.

By Mr. GORMAN: A bill (H. R. 20788) granting a pension to Josephine Burnett; to the Committee on Invalid Pensions.

By Mr. HAMILTON of New York: A bill (H. R. 20789) granting an increase of pension to Thomas Covell; to the Committee on Invalid Pensions.

By Mr. HELM: A bill (H. R. 20790) granting an increase of pension to Lucinda Barnes; to the Committee on Pensions.

By Mr. HELVERING: A bill (H. R. 20791) granting an increase of pension to William Wilson; to the Committee on Invalid Pensions.

By Mr. HENSLEY: A bill (H. R. 20792) granting an increase of pension to Margaret B. Bradley; to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 20793) granting an increase of pension to Joseph Hurt; to the Committee on Pensions.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 20794) granting a pension to Howard D. Lowd; to the Committee on Pensions.

Also, a bill (H. R. 20795) granting an increase of pension to William House; to the Committee on Invalid Pensions.

By Mr. KEISTER: A bill (H. R. 20796) granting an increase of pension to George W. Beck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20797) granting an increase of pension to Nancy Fortney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20798) granting an increase of pension to Elijah J. Reed; to the Committee on Invalid Pensions.

By Mr. KETTNER: A bill (H. R. 20799) granting an increase of pension to Robert Bigger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20800) for the relief of Charlotte M. Johnston; to the Committee on Claims.

By Mr. MADDEN: A bill (H. R. 20801) to authorize the Secretary of the Treasury to adjust the accounts of the Chicago, Milwaukee & St. Paul Railway Co. in accordance with the decision of the Court of Claims in case No. 30159; to the Committee on Claims.

Also, a bill (H. R. 20802) to authorize the Secretary of the Treasury to adjust the accounts of the Chicago, Milwaukee & St. Paul Railway Co. for transporting the United States mails in accordance with certain decisions of the Court of Claims; to the Committee on Claims.

By Mr. MARTIN: A bill (H. R. 20803) granting an increase of pension to Alonzo Wagoner; to the Committee on Invalid Pensions.

By Mr. PATTEN of New York: A bill (H. R. 20804) for the relief of William P. Nason; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20805) for the relief of the heirs of the late James L. Watson; to the Committee on Claims.

By Mr. RUPLEY: A bill (H. R. 20806) granting an increase of pension to Mary C. Beam; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20807) granting an increase of pension to Rebecca Reed; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 20808) to authorize the Secretary of the Treasury to adjust the accounts of the St. Louis, Iron Mountain & Southern Railway Co.; to the Committee on Claims.

By Mr. SHREVE: A bill (H. R. 20809) granting a pension to Calista M. Irish; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20810) granting a pension to John Salchli; to the Committee on Pensions.

By Mr. SUTHERLAND: A bill (H. R. 20811) granting an increase of pension to Margaret J. Dovener; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20812) granting an increase of pension to Mary C. Smith; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: A bill (H. R. 20813) granting an increase of pension to Sanford B. Dickinson; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of the Ladies' Auxiliary of the German-American Relief Committee of the District of Columbia, favoring the passage of House joint resolution 377; to the Committee on Foreign Affairs.

Also (by request), petition of the National Association Opposed to Woman Suffrage, protesting against woman suffrage; to the Committee on the Judiciary.

Also (by request), petition of the New York Board of Trade and Transportation, favoring passage of the Root bill (S. 3672); to the Committee on Rivers and Harbors.

By Mr. ASHBROOK: Evidence to accompany H. R. 248, a bill for the relief of Thomas West; to the Committee on Pensions.

By Mr. BAILEY: Petitions of William Bentman and H. E. Strunk, favoring passage of H. R. 5308, to tax mail-order houses; to the Committee on Ways and Means.

By Mr. BROWNE of Wisconsin: Petitions signed by Fr. F. Selle, D. E. Meisner, and other residents of Shawano County; L. C. Sievert, Herman Anklam, jr., and other residents of Weyauwega; Emil F. Polzin, Anton Mauritz, and other residents of Big Falls; Ferd Fischer, L. J. Osterloth, A. Hermann, F. W. Peterman, Herman Spiegel, Oscar Baum, Rev. Martin Mueller, Reinch Dobberfuhl, John W. Runge, William Burmeister, G. Knaak, H. Krueger, and other residents of Shawano County; F. A. Bentz, Alex. J. Stolle, and other residents of Nekoosa, all in the State of Wisconsin, asking that House joint resolution 377, which provides that the President be authorized, in his discretion, to prohibit the export of arms, ammunition, and munitions of war of every kind, be enacted into law; to the Committee on Foreign Affairs.

Also, petition signed by Peter Weber, president of the Marshfield Society of Equity, and John Ulmer, secretary of the Marshfield Society of Equity, expressing the views of the 260 members of that society, asking that the Congress of the United States pass laws that will enable the President to place an embargo on all contraband of war saving foodstuffs; to the Committee on Foreign Affairs.

Also, petition signed by Ernst Schwortz, William H. Schmidt, Frank Lipke, Gust Beilke, T. Fiess, E. E. Hopper, and other residents of Shawano County; F. M. Szebsdat, George Wetteraw, and other residents of Fenwood; Henry Liethen, William Kuehn, and other residents of Marathon County; John Fandrey, Otto Baerenwald, and other residents of Shawano County; J. J. Lohmar, W. R. Sielaff, and other residents of Wausau; Carl Malitz, August Wolf, William Hoffman, Emil Pockat, Carl Dicke, Carl Priem, A. C. Ladwig, Herman Heller, Charles Voigt, E. W. Frailing, J. M. Kempff, T. F. Simon, G. Kunz, C. A. Paul, Dr. Carl E. Stubenvoll, Arthur Mathwig, George Schroeder, G. F. Richards, and other residents of Shawano County, all in the State of Wisconsin, asking that House joint resolution No. 377, which provides that the President be authorized, in his discretion, to prohibit the exportation of arms, ammunition, and munitions of war of every kind, be enacted into law; to the Committee on Foreign Affairs.

By Mr. BUCHANAN of Illinois: Memorial of Illinois State Federation of Labor, protesting against greater Army and Navy; to the Committee on Military Affairs.

By Mr. BURKE of Wisconsin: Petition signed by 417 citizens of the city of Beaver Dam, Wis., asking for the passage at this session of House joint resolution 377, to levy an embargo upon and prevent the exportation from this country to belligerent European countries of arms and munitions of war; to the Committee on Foreign Affairs.

By Mr. DILLON: Memorial of 50 homesteaders of South Dakota, relative to opening of Standing Rock and Cheyenne River Indian Reservations to homesteaders, etc.; to the Committee on the Public Lands.

Also, memorial of Humboldt (S. Dak.) local branch of the German-American Alliance of South Dakota, favoring House joint resolution 377, relative to neutrality of United States; to the Committee on Foreign Affairs.

By Mr. DONOVAN: Petition of citizens of Danbury, Conn., favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. DRUKKER: Petitions of citizens of the State of New Jersey, protesting against exportation of munitions of war by the United States; to the Committee on Foreign Affairs.

By Mr. EAGAN: Petition of sundry citizens of the State of New Jersey, favoring suffrage for women; to the Committee on the Judiciary.

By Mr. HAYES: Petitions of organizations in San Francisco, Cal., favoring Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

Also, petition of citizens of California, favoring House bill 20035, to extend the time for making final proof in certain desert-land entries in Fresno and Kings Counties, Cal.; to the Committee on Irrigation of Arid Lands.

Also, petition of Dr. David Starr Jordan, of Stanford University, Cal., favoring selection of San Francisco as meeting place of the next Peace Congress; to the Committee on Foreign Affairs.

Also, petition of Council 1271, Knights of Columbus, of San Luis Obispo, Cal., relative to religious persecution in Mexico; to the Committee on Foreign Affairs.

Also, petition of Los Angeles (Cal.) Chamber of Commerce, favoring House joint resolution 344, for a national marketing commission; to the Committee on Agriculture.

Also, petition of Peace Society of San Jose (Cal.) State Normal School, against increase in Army and Navy; to the Committee on Military Affairs.

Also, petition of citizens of California, against larger appropriations for armament in the United States; to the Committee on Military Affairs.

By Mr. KENNEDY of Rhode Island: Petitions in favor of woman suffrage from Ednah B. Hale, Mrs. Harriet I. Roworth, E. Carol Hodge, M. E. Carpenter, Helen Bowen Janes, of Providence; C. Isabelle Lee, East Providence; Alex. S. Arnold, Woonsocket; Marie T. Cottrell and Mrs. Robert Herrick, of Newport, all in the State of Rhode Island; to the Committee on the Judiciary.

Also, petitions of Joanna Sophia Buffum, Mrs. A. F. Squire, May J. Keating, Hannah E. Bacheller, Rebecca Taylor Bosworth, Harriet F. Riggs, M. Anna Ford, Rachel Wallace Bertram, Elizabeth H. Swinburne, and Henry C. Bacheller, all of Newport, R. I., in favor of woman suffrage; to the Committee on the Judiciary.

By Mr. KETTNER: Memorial of various organizations of the State of California, favoring passage of the Hamill bill (H. R. 5139); to the Committee on Reform in the Civil Service.

By Mr. LANGHAM: Petition of business men of the seventeenth Pennsylvania congressional district, favoring passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. MAPES: Petitions of citizens of Grand Rapids, Mich., asking for the passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. PATTEN of New York: Petitions of sundry citizens of New York, relative to export of arms and ammunition by the United States; to the Committee on Foreign Affairs.

By Mr. RAKER: Petition of citizens of the State of California, favoring passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. REILLY of Connecticut: Memorial of National Association Opposed to Woman Suffrage, relative to right of States to grant suffrage to women; to the Committee on the Judiciary.

By Mr. STEENERSON: Petition of 150 citizens of Detroit, 150 of Thief River Falls, and 75 of Parkers Prairie, all in the State of Minnesota, favoring House joint resolution 377, to prohibit exportation of war matériel; to the Committee on Foreign Affairs.

By Mr. SUTHERLAND: Papers to accompany bill for increase of pension to Mary C. Smith; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: Petition of citizens of Denver, Colo., favoring House joint resolution 377, prohibiting export of arms; to the Committee on Foreign Affairs.

By Mr. VOLLMER: Petition of American citizens of Cedar Lake, Ind., for the adoption of House joint resolution 377, prohibiting the export of arms, ammunition, and munitions of war; to the Committee on Foreign Affairs.

Also, petition of 750 American citizens of Chicago, Ill., for the adoption of House joint resolution 377, prohibiting the export of arms, ammunition, and munitions of war; to the Committee on Foreign Affairs.

Also, petition of J. C. Dahms and 17 other American citizens of Walnut Grove, Minn., for the adoption of House joint resolution 377, prohibiting the export of arms, ammunition, and munitions of war; to the Committee on Foreign Affairs.

Also, petition of citizens of Clinton, Iowa, favoring embargo on all contrabands of war; to the Committee on Foreign Affairs.

Also, petition of citizens of Cedar Lake, Ind., favoring Senate bill 6688, forbidding export of arms; to the Committee on Foreign Affairs.

SENATE.

TUESDAY, *January 12, 1915.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we seek from Thee grace and strength for this new day. We pray that we may have proper regard for the sacred traditions of our country, the ways of our fathers, the wisdom that comes out of the experiences of the past. Give to us also that spirit of progress which will hear the call of the new day and grace that will fortify us for facing the ever-increasing responsibilities of life. As Thy Spirit has guided the leaders of this great people in the days gone by, so do Thou abide with us still, guiding us on the upward and onward path to ever-increasing prosperity and happiness because of ever-increasing righteousness and holiness among the people. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 5168) for the relief of the King Theological Hall and authorizing the conveyance of real estate to the Howard University and other grantees, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1710. An act to prohibit the intermarriage of persons of the white and negro races within the District of Columbia; to declare such contracts of marriage null and void; to prescribe punishments for violations and attempts to violate its provisions;

H. R. 7771. An act to regulate plastering in the District of Columbia;

H. R. 13226. An act prohibiting the interment of the body of any person in the cemetery known as the Cemetery of the White's Tabernacle, No. 39, of the Ancient United Order of Sons and Daughters, Brethren and Sisters of Moses, in the District of Columbia;

H. R. 15215. An act to authorize the Commissioners of the District of Columbia to adjust and settle the shortages in certain accounts of said District, and for other purposes;

H. R. 16759. An act to require owners and lessees of amusement parks to furnish drinking water to patrons free of cost, etc.; and

H. R. 19552. An act providing for annual assessments of real estate in the District of Columbia.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bill and joint resolution, and they were thereupon signed by the Vice President:

H. R. 13815. An act to increase the limit of cost for the construction of a public building at Marlin, Tex.; and

S. J. Res. 218. Joint resolution to provide for the detail of an officer of the Army for duty with the Panama-California Exposition, San Diego, Cal.

PETITIONS AND MEMORIALS.

Mr. ASHURST presented a petition of sundry citizens of Tucson, Ariz., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which was referred to the Committee on Foreign Relations.

Mr. THOMPSON presented petitions of sundry citizens of Topeka, Sylvan Grove, Haven, Friend, Ellinwood, and Belvue, all in the State of Kansas, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. GRONNA. I present a telegram in the nature of a petition from Mrs. Helen C. Bascom, secretary of the Suffrage League of Wimbledon, N. Dak. It is very short, and I ask that it be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WIMBLEDON, N. DAK., *January 9, 1915.*

Senator GRONNA,
Washington, D. C.:

May this letter convey to you the earnest wish of our women and majority of our Wimbledon voters for the success of the suffrage amendment. We feel sure you will give your vote, and trust you will use your utmost influence for the adoption of this measure.

HELEN G. BASCOM,
Secretary Suffrage League.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to prohibit the